

# Royal Commission on Local Government in England

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MINUTES OF EVIDENCE - APPENDIX

## SUPPLEMENTARY MEMORANDA AND INDEX

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## EXPLANATORY NOTES

### SUPPLEMENTARY MEMORANDA

(Pages 7-61)

The minutes of oral evidence to the Royal Commission have already been published. At the hearings, the Royal Commission asked a number of witnesses to submit additional information. The supplementary memoranda submitted in response to these requests are contained in this Appendix.

### INDEX

(Pages 64-73)

References to the minutes of oral evidence are shown by the day of the hearing and the question number (e.g. 5/Q483), and references to the supplementary memoranda by the appropriate page numbers in the Appendix (e.g. **Appendix**, pages 5-7).

A list of witnesses will be found at page 64.

# APPENDIX TO MINUTES OF EVIDENCE—CONTENTS

Page

## SUPPLEMENTARY MEMORANDA

### Ministry of Health (Day 2)

Supplementary note on size of population in relation to specialised health and welfare services ... ..	7
--	---

### Home Office (Day 3)

Supplementary memorandum on the children's service: participation by persons other than members or officers of the responsible local authority ... ..	10
Supplementary memorandum on amalgamation of police forces ... ..	12

### Ministry of Transport (Day 4)

Additional note on staffing and resources ... ..	15
--	----

### Department of Education and Science (Day 5)

Memorandum on the government of schools and educational establishments ... ..	19
---	----

### National Association of Parish Councils (Day 6)

Report on the parish meetings campaign, 1967 ... ..	34
---	----

### Ministry of Housing and Local Government (Day 7)

Supplementary memorandum on transitional problems of local government reorganisation ... ..	38
---	----

### Association of Education Committees (Day 11)

Notes on delegation to governing bodies of schools ... ..	46
---	----

### Association of Municipal Corporations (Day 12)

Supplementary memorandum on certain considerations on the efficiency of education authorities in relation to their size ...	49
---	----

### County Councils Association (Day 13)

Memorandum on the parish organisation ... ..	59
--	----

## INDEX

Witnesses ... ..	64
Index ... ..	65



**SUPPLEMENTARY  
MEMORANDA**



## MINISTRY OF HEALTH

### Supplementary note on size of population in relation to specialised health and welfare services

(This note relates to question numbers 173 and 174—Day 2)

#### General Considerations

1. In its written evidence<sup>1</sup> the Ministry has drawn attention to the trend towards more specialised services to meet the differing needs of a wide variety of medical or social problems (for example, those of the mentally ill or the mentally subnormal, the blind, the deaf, other physically handicapped, the elderly). Increasing specialisation calls not only for differentiation of services, such as clubs or hostels for different groups within a single category of handicap, but also for a wider range of expert staff to man them. It calls also for well-qualified senior and supervisory staff to organise and co-ordinate the work and to plan developments to meet changing requirements. Staff training assumes increasing importance, and this necessitates staff complements large enough to allow of absence on training. The need for cover during sickness or holidays is another important factor in fixing adequate staff complements; and in some fields such as social case-work services are best provided by staff organised in teams with senior and junior grades with different levels of training. The purpose of this note is to illustrate briefly by some examples drawn from particular fields of work how the essential requirements of specialised provision appear in the light of the knowledge so far available to relate to size of population.

#### Medical Staffing

2. The effective organisation and administration of modern community health services demand a team of specialist medical officers headed by the Medical Officer of Health. In addition to this role as medical administrator the Medical Officer of Health cannot reasonably be expected at the same time to possess a detailed specialised knowledge of all aspects of preventive medicine, e.g. maternity and child welfare, mental health, epidemiology, care of the elderly or physically handicapped. For this purpose senior medical officers with special knowledge and experience are required, together with the assistance of hospital consultants in the specialties concerned. Hitherto a population of 250,000 has been regarded as the minimum justifying the appointment of a senior medical officer (in addition to a Medical Officer of Health and a deputy). This criterion, which is enshrined in Whitley Council agreements, reflects the view that a population of at least that order is required to provide a base for the specialised team of medical staff essential to an efficient and progressive service.

#### Nurse Staffing

3. Effective local authority nursing services call for an organisation of senior supervisory staff on the same broad lines as that described for the medical staff, i.e. a chief officer and a deputy, together with senior nursing

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<sup>1</sup> Written Evidence of the Ministry of Health—H.M.S.O., 1967.

officers responsible for special branches (health visiting, home nursing, midwifery). A team of this kind requires a population base of at least 200,000. Smaller authorities also experience difficulties in recruitment, in covering absences, and in providing for training, of the kind mentioned in paragraph 1.

## **Mental Health**

4. *Social work* for the mentally ill or mentally subnormal in the community has to meet a wide range of need, and it is desirable for this work to be performed by teams consisting of psychiatric social workers and less highly trained staff. Too little information is available to define case loads, but estimates made in terms of population suggest that at least 0.05 mental health officers are needed per 1,000 population, or 5 per 100,000. At the present stage of development of these services it is the authorities with populations well above 200,000 that are building up effective teams. These indications point to the conclusion that a population of 200,000 is likely to be the minimum necessary to support teams of staff with varied levels of training, thus making the best use of highly skilled staff, providing a basis for training, and giving cover for absences.

5. *Training centres for subnormal children.* These are centres for severely subnormal children in the community. There is insufficient experience to estimate precisely the number of places required per 1,000 population in a fully developed service, but it may be between 0.5 and 1.0, or about 75 places in an area with a population of 100,000. Each centre needs to be big enough to enable classes to be formed according to age and psychological development, and to provide the basis for an effective and flexible staffing structure and for staff training. These factors require a minimum size of 80-100 places for proper working, and in theory an area with a population of between 100,000 and 150,000 could therefore support one centre. But a service of high quality is unlikely to develop in an area with only one or two centres. Supervision by a qualified organiser can do much to raise standards, but only large authorities with several centres find such an appointment justifiable. At the present time, with the aim of providing centres of reasonable size, a number of smaller authorities combine in one centre the facilities for both children and adults, to the disadvantage of both groups. All these considerations would suggest that if centres of the best size and quality are to be developed and maintained for the training of subnormal children, a population base of appreciably more than 200,000 is necessary.

## **The Blind**

6. In the past in urban areas a working rule of one social worker to 100 blind or partially sighted has been used, and in rural areas one to 80, but the validity of this ratio is uncertain. The ratio of known registered blind and partially sighted is about 2.5 per 1,000 population; and taking these two ratios together five workers would be needed in an urban area with a population of 200,000. Any such workers need to form part of a larger team undertaking work with other groups of physically handicapped people, and to be in an area large enough to employ supervisory social workers,



craftwork instructors and organisers of centres where group activities can be undertaken. All these requirements are unlikely to be met in any area with a population of less than 200,000.

### **The Deaf**

7. The chief elements of services for the deaf are individual casework by officers with some specialised skills in communication, and group activities such as clubs, which are particularly necessary, for adolescents. For a number of reasons development has been slow, but one important reason has been the small numbers of deaf in the smaller local authorities' areas. The incidence of profound deafness is not precisely known but is probably about 0.5 per 1,000 population, or about 100 in a local authority area with a population of 200,000. With so few deaf in its area an authority even with a population of this size may find it difficult to justify the employment of even one whole-time specialist officer. Still larger populations would be needed to support a team of staff, or a complement large enough to cover absences for sickness, holidays or training.

March, 1967.

## HOME OFFICE

### **Supplementary memorandum on the children's service: participation by persons other than members or officers of the responsible local authority**

(This memorandum relates to question numbers 249 to 253—Day 3)

Questions 249 to 253 in the evidence presented by the Home Office on 26th January, 1967, referred to the part which the councils of lower-tier authorities might play in the children's service, on the assumption that responsibility for that service was placed on upper-tier authorities each covering a population of 250,000 or more.

2. Already in large counties, the children's department is commonly decentralised. For example, in one county with a population of about 800,000 there are seven area offices, each in the charge of an area officer responsible to the county children's officer, who is in turn responsible to the county children's committee. The area officer controls a team of about six child care officers—field social workers whose duties include receiving children into care, boarding them out or finding places for them in children's homes, selecting and supervising foster parents, and social work generally with families in difficulty under section 1 of the Children and Young Persons Act 1963. In each area there is also an area committee, which is in effect a sub-committee of the county children's committee and is composed partly of members of that committee and partly of members nominated by the county district council or councils in the area. The functions of the district committee are in the main consultative and co-ordinating; for example, the housing situation as seen by the district councils as housing authorities is examined in the light of the problems encountered by the county council in their functions of restoring children in care to their families and diminishing the need for receiving children into care. The district committee, like any other sub-committee of the county children's committee, may have executive functions delegated to it, e.g. the grant of assistance in kind, or in exceptional circumstances in cash, under the 1963 Act. This appears to be one way in which members of lower-tier authorities could be invited to participate in the work of a children's service administered by upper-tier authorities. Much would depend on how far lower-tier authorities exercised functions—such as housing—which have a bearing on the welfare of children.

3. In an organisation of this kind, the area officer may or may not be concerned with the administration of homes provided by the authority under section 15 of the Children Act 1948. Be that as it may, a county of this size would have, scattered about the county, some twenty children's homes of various kinds. Some would accommodate perhaps seven or eight children of both sexes and various ages—the so-called "family group" home; others would be larger homes, accommodating up to twenty-five or thirty children, with special functions such as the reception and assessment of children who have just been received into care or who require short-term accommodation for one reason or another. Such homes are

staffed by officers of the local authority, and the practice as to supervision of the home by the children's committee itself varies; there may be a sub-committee responsible for all homes or there may be a management committee for each home or for groups of homes. In either case, however, it is common for people who are not members of the children's committee to be co-opted to serve on the sub-committee or committees which are particularly concerned with the management of children's homes. The importance of integrating a children's home with the life of the local community is recognised and service on the bodies responsible for the supervision of individual homes or groups of homes would appear to be an appropriate function for members of lower-tier authorities; in that service, however, they would not be responsible to the lower-tier authority, but to the children authority as co-opted members of a committee or sub-committee of that authority.

4. In question 250 reference is made to the care committees established by the London County Council as education authority and continued by the I.L.E.A. The work of members of these committees is, however, rather different from committee work in the usual sense. An important part, perhaps the most important part, of the work of members of these committees is that of visiting families in their own homes. It might well be that a member of a lower-tier authority would be attracted to, and suitable for, voluntary work with families in difficulty, but there is no necessary connection between these two functions. The wider question of how far the local authority personal social services should enlist the help of voluntary workers as, so to speak, unpaid assistants to the professional staff of the local authority is one which will need to be further considered when the recommendations of the Seebohm Committee on the future organisation of the local authority personal social services have been received<sup>1</sup>; the Seebohm Committee itself may well have recommendations to make on the use of voluntary workers.

5. To sum up, it seems clear that if upper-tier authorities, with populations of 250,000 or more, are to be responsible for administering the children's service, they should be urged to consider both the establishment of area offices of the kind described above, and the association of members of lower-tier authorities with the work controlled from those offices. They should be urged also to consider establishing local management committees for their children's homes, and also for other residential establishments for children (remand homes and approved schools) which would become, in some form, part of the children's service if the Government's published proposals<sup>2</sup> for the residential care of children are implemented, and to consider the advantages of including members of lower-tier authorities in these bodies. It is, however, desirable to await the conclusions of the Seebohm Committee before considering other possible forms of partnership between professional and local voluntary effort, whether in the manner of care committee work in London or otherwise.

September, 1967.

<sup>1</sup> Report of the Committee on Local Authority and Allied Personal Social Services—Cmnd. 3703.

<sup>2</sup> See "The Child, the Family and the Young Offender" (Cmnd. 2742) and "Children in Trouble" (Cmnd. 3601).

## HOME OFFICE

### Supplementary memorandum on amalgamation of police forces

(This memorandum relates to question numbers 299 to 302—Day 3)

#### Introduction

1. In May, 1966 the Home Secretary announced a programme<sup>1</sup> involving 26 police amalgamation schemes in England and four in Wales. Of these 26 schemes 7 have been made, 15 others have been approved in principle by all the police authorities concerned, 1 is still under consideration and in respect of 3 schemes the Home Secretary has stated his intention to use his powers of compulsion under the Police Act 1964.
2. The programme represents a sharp acceleration in the established policy of basing the police service on bigger and stronger units of local government. The purpose of this memorandum is to enlarge upon the considerations which led to the acceleration.

#### Position of the police service early in 1966

3. In 1964 for the first time the number of indictable offences known to the police as committed year by year exceeded one million—in 1950 the number had been less than half a million. In 1965 the number rose to 1,338,882 and there were signs of continuing increase.<sup>2</sup> An especially disturbing feature was that the rate of increase in offences against the person and of robbery was much greater than the rate of increase in all indictable offences. It also became clear by the end of 1965 that the pattern of crime was altering for the worse in two other respects: first, more and more large-scale crimes were being committed by highly-organised gangs of criminals who made elaborate preparations using advanced techniques and equipment; and, secondly criminals were taking increasing advantage of fast motor transport. The Commissioner of Police of the Metropolis reported<sup>3</sup> that:

<sup>1</sup> Of the twenty-six amalgamations affecting English forces announced by the then Home Secretary on 18th May, 1966, and two additional schemes announced in 1967 (affecting police areas either side of the River Tyne), twenty-two schemes had been made by 1st August, 1968 on a voluntary basis and one compulsorily, and twenty of the new combined forces were in operation. Of the seven compulsory schemes initiated since May, 1966, two were subsequently withdrawn; these were—

- (a) the scheme for the amalgamation of the North Riding of Yorkshire and Tees-side, and
- (b) the scheme for the amalgamation of the East Riding of Yorkshire, Kingston upon Hull and York. (The new county borough of Tees-side and the county borough of Kingston upon Hull have their own forces, and a voluntary scheme has been made for the amalgamation of the North and East Ridings of Yorkshire and York.)

In the proposed scheme for the West Riding of Yorkshire, Bradford was allowed to retain its own force and a voluntary scheme was made for the amalgamation of the remaining authorities concerned.

<sup>2</sup> Actual figures were:

1938	...	...	283,220	offences known to the police
1950	...	...	461,435	" "
1964	...	...	1,067,963	" "
1965	...	...	1,338,882	" "

<sup>3</sup> In his report for 1964, Cmnd. 2710, page 10.

“Robberies are seldom committed on the spur of the moment. Dependent to some extent on the urgency of the financial needs of the conspirators, many are meticulously planned, sometimes over a period of weeks.”

Many offences continued to be committed by local criminals. But more and more often property was being stolen in one locality and swiftly conveyed to receivers in another part of the country; and lorries with valuable loads were being “hi-jacked”, driven to an unloading point and their loads then conveyed further afield by other transport.

4. The growing volume and complexity of traffic on the roads also presented the police with problems of a new order. Between 1950 and 1965 the number of motor vehicles increased by 200 per cent and the number of casualties on the roads increased by 100 per cent. In 1961 the number of prosecutions for traffic offences was 896,832; in 1965 the number rose to 1,261,338.

5. Part I of the written evidence submitted by the Home Office describes a variety of measures taken to enable the police to deal more effectively with these growing commitments. Some of the measures were specifically intended to facilitate action spread over the areas of a number of forces, and the changes in boundaries recommended by the Local Government Commission resulted in adjustments for police purposes which established stronger forces, better able to deploy highly-specialised effort over wider areas. But the pace of advance was not quick enough to match the rising tide of crime and traffic.

6. As implied by the evidence already submitted, it is not possible to show by statistical means that large forces are more efficient than small. But authoritative professional opinion has for some time been firmly in favour of large forces. In their examination of the subject in 1962 the Royal Commission on the Police criticised the continued existence of small forces, which in the Commission's view suffered from inherent weaknesses. They said<sup>1</sup> :—

“Operationally, they are not flexible enough to meet all the demands that may be placed upon them, and the help of neighbouring forces may have to be called upon. The employment of specialists is difficult, and training facilities tend to be inadequate. Promotion tends to stagnate and it is harder than in a larger force for the chief constable to ignore the claims of seniority in filling the vacancies that occur. Discipline is difficult to enforce impartially and unpleasant in its effects, because the disciplined man is too well known to his chief constable, to his fellows, and to the public. The risk of undesirable pressure being brought to bear on members of the force by local people, whether members of the local authority or others, is greater. And, not least important, it is no easy matter to find for such a force a chief constable with all the qualities which ought to go with that responsible and semi-autonomous office.”

7. It seems probable that if the Royal Commission had been reporting not in 1962 but at the end of 1965 they would have laid more stress than they did on the inability of a police service organised on a pattern of over 100 forces in England to match the ingenuity and mobility of the modern criminal.

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<sup>1</sup> Paragraph 279 of Final Report (Cmnd. 1728).

Specialised detection and communications equipment requires specially-trained men to operate it ; and a big and well-run organisation to ensure that both men and equipment are deployed to the best advantage. Joint action between small forces can go some way towards meeting these requirements, but they can be much better met through strengthening and extending the primary authorities. Public opinion, as expressed in the debates on the final report of the Royal Commission and on the Police Bill, showed a wide acceptance of the general case<sup>1</sup> for larger authorities and little liking for the alternative of establishing a force on a national basis.

### **The amalgamation programme of May, 1966**

8. On 10th February, 1966 the Prime Minister announced the appointment of the Royal Commission on Local Government and discontinuance of the Local Government Commission for England. In consequence the practice of reviewing police areas piecemeal in the light of reports on particular local government areas, which would eventually have brought about a considerable reduction in the number of police authorities, could no longer be followed. The Home Secretary took the view that although the Royal Commission on Local Government would be undertaking their work as a matter of urgency it would not be right, in view of the deteriorating crime and traffic situation, to accept further delay in carrying out a major reorganisation of police areas. This decision, announced in May, 1966, was generally welcomed in Parliament and has been strongly supported in the press.

9. In preparing the schemes of amalgamation included in the programme no attempt has been made to follow any formula for determining the ideal size of a force. The criterion has been whether, in the context of a system of local police forces, amalgamation would lead to greater efficiency of policing of the areas affected, taken as a whole. Density of population, geographical considerations and lines of communication had to be taken into account as well as the size of the existing and proposed forces ; and there were some forces<sup>2</sup> which had only recently been disturbed by amalgamation and which, therefore, whatever their size, it seemed wise to leave alone for the time being.

February, 1967.

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<sup>1</sup> Summarised in Appendix 7 to Part I of the Written Evidence of the Home Office. H.M.S.O., 1967.

<sup>2</sup> Bedfordshire and Luton, Northampton and Northamptonshire, Mid-Anglia, West Midlands.

## MINISTRY OF TRANSPORT

### Additional note on staffing and resources

(This note relates to question numbers 422 and 423—Day 4)

1. The Royal Commission asked the Ministry of Transport for an additional note amplifying the point made in the Department's written evidence<sup>1</sup> that local authorities need to be in a position to attract and retain specialised professional staff, and to invest in and make full use of expensive plant and equipment.

2. The Department estimate that the vehicle population will increase from the present figure of about 13½ million to some 24 or 25 million by 1980. Over this period, road traffic is also likely to double. Although growing congestion and difficulties of parking tend to give a rather lower rate of growth in large towns, the increased traffic potential this represents raises acute problems in three fields of significance to the question of local authority manpower resources, i.e. the overall planning of transport and land use, the planning, design and execution of highway works, and traffic engineering. In the latter case, the increasing sophistication of methods of traffic control will also require the ability to invest in and make use of expensive equipment in the control of specialist traffic engineers.

3. The need for the co-ordination of all transportation planning with town and country planning was stressed in paragraph 3.9 of Part II of the Department's written evidence. The Department is thinking increasingly in terms of comprehensive planning for the highway, traffic, parking and public transport needs of a community, taking amenity and safety considerations into account. It may well be that transport planning of this kind will call for transport directors of a status, calibre, and training not so far contemplated, except in Greater London. This calls for a career and organisational structure which will attract the calibre of man needed for the top jobs, and will provide training and experience over a wide field of inter-related subjects, which have so far tended to be considered in isolation. A number of universities and technical colleges are now offering post graduate courses that include traffic engineering, either as a subject in itself, or combined with highway engineering. A few universities are now developing transport courses that go much wider than this, and are open to graduates in a variety of disciplines. The types of courses needed and the numbers of people who will need specialised transport qualifications or expertise will depend very much on the ultimate shape of the local government structure, and the size of local authorities. But it is clear that large authorities would create a better career framework and provide a more uniform pattern of organisation than would be possible with a large number of smaller authorities.

4. Over and above the requirements of comprehensive planning, the need for highly qualified professional staff to implement the plans is increasing.

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<sup>1</sup> Written Evidence of the Ministry of Transport, H.M.S.O., 1967.

5. The present road programme, though it will rise rapidly over the next few years, cannot keep pace with the spread and intensification of congestion. Although the exact size of the road programme in the 1970s will depend on the investment resources that can be made available, it is plain that there will have to be a very large urban road programme and that this will impose an immense strain on the country's resources of skilled manpower, particularly engineers who are specialists in highway and traffic work. It will be necessary both to attract more new recruits to the profession and to make the most efficient use of all its members.

6. For the expanding inter-urban trunk road programme it has already been decided that the present arrangements, which rely heavily on the employment of engineers working within the existing structure of local government, do not adequately meet the need, and the Department are accordingly setting up Road Construction Units to rationalise the employment of skilled staff. But for urban road schemes the design and execution must remain the responsibility of the local authorities. There is evidence that the present principal road programme is already imposing a severe strain on the professional resources of local authorities, and the slow rate of progress with a number of schemes is causing the Department concern. Between 1966 and 1970 the principal road programme is likely to increase by about 60 per cent. Subject to the Government's decisions about public expenditure, the size of the programme by 1972 could be roughly double that of 1966 and by 1976 treble. With the present availability and disposition of staff it must be open to serious question whether local authorities would be able to cope with a programme of this size.

7. Skilled staff can work most efficiently in teams accustomed to working together and developing their expertise with continuity of work over a number of assignments. At present only a few very large authorities can provide sufficient continuity of work to employ their staff in this way. In smaller authorities, the experience gained by staff on a major scheme is lost when it is completed; or, if he is to remain a specialist, the engineer must transfer to another authority.

8. Under the present structure of urban local government the chief professional officer has responsibilities for a wide range of engineering and other services. Thus, the engineer who seeks to achieve the top posts with urban authorities will tend to avoid specialisation in one particular field such as highways. Few, if any, urban authorities are large enough to justify the employment of a highway engineer of chief officer status or a big enough staff of highway and traffic engineers to give a reasonable proportion of more senior posts. The consequence is that engineers of the right calibre are discouraged from developing their skills in highway work and making their careers in this field.

9. These difficulties can be overcome to a certain extent by the employment of private firms of consulting engineers, and it will in fact be necessary for them to be employed to an increasing extent, especially for the more complex urban schemes. But it would be particularly difficult, even if it were desirable, for consulting engineers generally to expand enough to deal with the whole



problem unless individual firms could be given a guaranteed level of work. And the assignment of a disproportionate amount of work to consultants would further reduce the attraction of a career in local government. Even with the help of consultants, local authorities must greatly expand their engineering staff, to advise the council on the consultants' proposals, to ensure that public funds are well spent, to keep the authority's road pattern under continuous review and to cope with the bulk of the authority's normal highway work. This means the establishment of posts for highway engineers at a more senior level than many authorities can now afford or justify.

10. In the field of traffic engineering the trend is already towards more sophisticated methods, which are relatively expensive and which require skilled staff. For example, the capital cost of the West London area traffic control experiment (which extends over an area of  $6\frac{1}{2}$  square miles and brings some seventy signal installations under unified computer control) is about £ $\frac{1}{2}$  million. Its introduction has involved ten man years of skilled effort apart from the preliminary fieldwork. Although this is an experimental project, an operational system would probably call for some three man years of planning, and a computerised system for perhaps five man years of programming work by qualified staff. The minimum operational requirement for the West London scheme includes a system supervisor, two traffic engineering technicians and four computer operators, plus one or two relief operators and a computer librarian.

11. The planning design and operation of traffic control systems of this complexity thus makes demands on resources of professional manpower which only the largest authorities will be able to recruit or retain. Furthermore, although the scale of the equipment required, and hence the cost, is reduced in towns where smaller areas need to be brought under unified control it still seems likely that the cost of such installations would be beyond the financial resources of many authorities. But computer control does not necessarily require a separate computer for each area; separate area schemes can be controlled from a central computer. A reorganisation of local government which resulted in a smaller number of financially stronger local authorities might well make it economically practicable to bring the benefits of the applications of these techniques to a number of urban areas which would otherwise be denied them.

## Summary

12. In the Department's view, the present organisation of local government, involving as noted in its written evidence over 800 highway and some 376 traffic authorities, cannot provide a career structure capable of attracting and retaining professional staff of the calibre and with the specialist qualifications which are required. If the complex transportation planning problems are to be tackled effectively, if the road programme now being planned for the 1970s is to be carried out, and if the full potentialities of increasingly sophisticated methods of traffic management are to be exploited, it is essential that the responsibility for these functions should be vested in local government units large enough to provide continuity of work for skilled engineering staff and an attractive career structure for new recruits to local

government service, and with the financial resources to make use of expensive equipment. A reorganisation which resulted in a reduction in the number of authorities to a level such as that discussed in the evidence already given to the Commission would do much to achieve this.

May, 1967.

## DEPARTMENT OF EDUCATION AND SCIENCE

### Memorandum on the government of schools and educational establishments

(This memorandum relates to question numbers 499 to 504—Day 5)

#### Introduction

1. The purpose of this memorandum is to elaborate the view expressed in the Department's written<sup>1</sup> and oral evidence to the Commission that, in the revised system of local administration of education recommended by the Department, the governing bodies of schools and colleges, strengthened and made more representative of local interests, could be developed into an acceptable democratic alternative to the present system of smaller local education authorities and local administration through divisional executives.

2. An outline of the present arrangements for the government of schools and colleges is attached as Appendix 1.

#### Primary and Secondary Schools

3. The Department's written evidence to the Commission suggests that the present statutory requirements relating to the establishment of the governing bodies<sup>2</sup> of primary and secondary schools and the manner in which they are observed has led to weaknesses in the system. In particular the existence of divisional executives in county areas has tended to diminish the responsibilities of governors by encroaching on the field of activities with which the governors might properly be concerned, the excessive grouping of numbers of schools under a single governing body has led to the position in which the governors have little personal knowledge of their schools and function solely as agents of the local education authority, and the powers and duties of governors have been very much restricted by directions and regulations of the authorities. All these factors have combined to reduce the status of governing bodies and to exclude or discourage the type of person who has knowledge and experience of education and the needs of the school and who is prepared to spend time and trouble over its affairs.

4. The Department's view is that changes along three main lines are desirable, namely less grouping of schools, a broadening of the membership of governing bodies, and an extension of the functions which they exercise. Proposals for these changes are described in the following paragraphs.

#### Grouping

5. Discussing the status and government of primary schools in their recent report on "Children and their Primary Schools" the Central Advisory Council for England (the Plowden Council) expressed the view that:—

"In most rural areas, individual primary schools have their managing body. This should be the aim everywhere, although it may not always

<sup>1</sup> Written Evidence of the Department of Education and Science—H.M.S.O., 1967.

<sup>2</sup> Under Section 17 of the Education Act 1944 the governing bodies of primary schools are called managers, but in this memorandum the term governors or governing body is for the sake of simplicity used for both primary and secondary schools.

be easily achieved. . . . We are clear that the needs of schools are best met when each has its own body of managers. . . . There may be strong administrative arguments for grouping primary schools under a stronger body of managers than would be available to each individually. If so the groups should be as small as possible. The majority of urban areas . . . make the primary sub-committee of the education committee the body managers for all primary schools. This arrangement makes nonsense of the conception of school managers as friends and neighbours of a school, who give it their constant interest and help, sometimes arguing on its behalf in dealing with the education authority. We deplore this practice which sometimes leads to a succession of head-teachers having to wait outside the door of the room in which the managers are meeting."

6. The Department supports very strongly the view expressed by the Council that in principle each school should have its own governing body while accepting that, particularly in the case of primary schools, there may be circumstances in which some limited grouping may be necessary. A common governing body might, for example, be justified in the case of an infant school and a junior school on the same or neighbouring sites. But these should be regarded as exceptions to the general rule that all primary schools should have their own governing bodies. It is even more important for secondary schools to have their own governing bodies. Where it is necessary to maintain contact between schools, e.g. where there are separate boys' and girls' schools serving the same population, it is better to do this by overlapping membership of separate governing bodies than by grouping the schools under a single body.

7. One of the arguments used by local education authorities in support of their practice of grouping governing bodies is that it reduces the work of local authority officials in servicing these bodies. All governing bodies need to have a clerk to look after the paper work and to see that effect is given to the governors' decisions, and in the case of county schools this work is almost invariably undertaken by local government officers, though there is no legal requirement that this should be so. The establishment of individual governing bodies for all schools would therefore tend to increase the work load falling on the local authority staff, but the net increase might not be as great as might be supposed. At present governing bodies have no power to take decisions over a number of matters which come before them and their recommendations have to be reconsidered at divisional executive or education committee level. This reconsideration could be eliminated by extending the powers of governing bodies as proposed in this memorandum ; and even on matters on which the governors could not be given the power to take decisions, reconstituted and strengthened governing bodies which were alive to the interests of their schools might be able to give advice and guidance to the authority which would reduce the need for detailed consideration at higher level. The Department understands from the Inner London Education Authority, whose policy is already to restrict grouping severely for primary schools and to dispense with it entirely for secondary schools, that the servicing of governors' meetings does not involve an unacceptable burden of work.

8. The Department would not wish to propose that grouping should be made subject to the Secretary of State's approval, since this would be contrary to the Department's desire to reduce to the minimum its concern with the details of local administration. It would be preferable to limit grouping by some statutory formula which would have to be worked out in consultation with local authority interests.

## **Membership**

9. It is important, if governing bodies are to be active, enthusiastic and effective in their efforts on behalf of the schools, that the best possible members should be attracted. Among the possibilities is the representation on a governing body of the parents of the pupils at the school. This is occasionally found at present, and evidence submitted to the Plowden Council suggested that where parents were represented the contribution which they made was valuable. They tended to be younger than most governors and were directly concerned with the issues discussed. Their power to vote on issues directly affecting their own children could be restricted by the rules of procedure. More generally, it is desirable for governing bodies to include both substantial representation of the local community served by the school and one or more members from outside the area with a wider viewpoint and some knowledge of education.

10. The reduction in the number of local education authorities proposed by the Department would make the continued representation of any minor or second-tier authorities on governing bodies even more important than it is at present. In particular, any existing county boroughs or excepted districts which lost their education powers but remained local authorities for other purposes would clearly need to be given substantial representation on the governing bodies of the schools in their areas.

11. Other members of governing bodies might be drawn from local business (at various levels) or be nominated by other local institutions, e.g. in the educational field, universities, colleges of education and institutions of further education.

12. The relationship between the governing body and the headmaster<sup>1</sup> should ideally be in the nature of a partnership rather than that of master and servant. On the whole the Department do not favour the inclusion of the headmaster as a member of the governing body but are in no doubt that he should have the right to be present at all meetings so that he may be informed and consulted about all matters and have the opportunity to offer advice and express his views. His experience will be essential as a guide to the governors' decisions, while at times the governors may need to express their views on matters which under the articles of government fall within his responsibilities. As far as assistant staff are concerned, the Department's view is that their loyalty should be to the headmaster and there might be a conflict of loyalties if they were directly represented on the governing body; this is not however to say that they should not be given opportunity of expressing their own views on issues affecting the planning and organisation of school life.

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<sup>1</sup> This expression is used for simplicity to mean "headmaster or headmistress".

## **Powers and duties of governing bodies**

13. Among the subjects with which governing bodies are commonly concerned at present are the care and upkeep of the premises, the appointment and dismissal of the headmaster and teaching and non-teaching staff, the organisation and curriculum of the school, the fixing of school holidays, and the admission of pupils. But the extent of the real powers which governors exercise varies a good deal from area to area, depending on the directions and regulations of the local education authorities concerned. The Department's view is that governing bodies should be given a real part to play and reasonable freedom within which to do so, and should have real responsibility for the running of the school. These conditions will not be brought about simply by changes in the law or in the wording of articles of government. What is needed is a real change of attitude on the part of the local education authorities. Within the broad framework of policy laid down by the authority, the governing body should be given very substantial freedom to take decisions and look after the school. They should be regarded as the link between the authority and the school and no decisions about the school should be taken by the authority without consultation with the governors. On this point the Plowden Council reported:—

“An active and knowledgeable body of managers can . . . act usefully as a bridge between the education committee and the school. Putting the case for the school where this is needed, explaining through its councillor members to the teachers and parents what the authority is getting at by some new line of policy. If local authority areas become bigger, some local representative body will be even more necessary. It will be even more important to appoint men and women of the right calibre—but, if they are to be found more power will have to be given to them.”

14. In counties, the elimination of divisional executives would leave more scope for governing bodies and as many as possible of the educational functions relating to individual schools which have hitherto been exercised by divisional executives should be devolved onto school governors. The following are some examples of functions at present exercised by divisional executives which might well be transferred to the governors:—

- (i) keeping the needs of the school under review and making recommendations to the local education authority on extensions, alterations and improvements to the premises and the site and the provision of equipment, and on all building plans for the school proposed by the authority ;
- (ii) authorising the carrying out of individual items of repairs and maintenance work and minor alterations and improvements within financial limits approved by the local education authority ;
- (iii) the appointment of teaching staff and, in conjunction with the local education authority, the appointment of the headmaster ;
- (iv) the suspension or dismissal, subject to the right of the local education authority to intervene, of members of the teaching staff ;
- (v) the appointment and dismissal of non-teaching staff in accordance with standards laid down by the authority, and the general control of such staff ;
- (vi) decisions on the use of the premises out of school hours ;

- (vii) the provision of clothing for pupils for physical education or otherwise ;
- (viii) the consideration of claims for educational maintenance allowances or free school meals.

In county boroughs where no divisional executives exist, the functions of governing bodies are often even more limited and the Department sees no reason why similar responsibilities should not be placed on them there also.

### **Voluntary schools**

15. Paragraphs 3-14 have been written with county schools mainly in mind. So far as voluntary schools are concerned, the responsibilities of governing bodies are already well understood, and many of the suggestions made above are already acted upon. The Department would not wish to see any alteration in the statutory provisions whereby local authority representation is restricted to one-third of the membership in the case of aided and special agreement schools and two-thirds in the case of controlled schools ; and the representation of the second-tier authority advocated in paragraph 10 above would to that extent be limited.

### **Further Education Establishments**

16. The Department have had under consideration for some time the revision of the arrangements for the establishment of governing bodies of maintained further education establishments and the opportunity has been taken with the establishment of the new polytechnics to make a start on the introduction of new arrangements. The scheme to be submitted by local education authorities for the establishment of polytechnics in their areas will include among other things the proposed arrangements for the government and academic organisation of the colleges ; and the Secretary of State has made it clear that it would be a condition of designation that the arrangements proposed were consistent with those recommended by the Secretary of State. Notes of guidance on this question, prepared after consultation with the representative bodies of local education authorities and teachers etc., were included in a memorandum (A.M. 8/67) issued to local education authorities and technical colleges in April, 1965.

17. The Secretary of State has also announced his intention of introducing, as soon as possible, legislation providing for the making by local education authorities of instruments and articles of government for the constitution of governing bodies of all maintained colleges of further education.<sup>1</sup> The effect of this legislation will be to require colleges to be conducted in accordance with articles of government made by the local education authorities and approved by the Secretary of State.

18. The Secretary of State made it clear in his notes for guidance on the government and academic organisation of polytechnics that his intention was to ensure that the main responsibility for conducting the affairs of the colleges should be delegated to a balanced and broadly based governing body with a large measure of autonomy and under the general direction of the governing body to the director (i.e. the head of the college) and the academic board. Under the academic board, academic and administrative matters primarily affecting particular disciplines or groups of disciplines

<sup>1</sup> The Secretary of State's proposals were subsequently enacted in the Education (No. 2) Act, 1968 which received the Royal Assent on 3rd July, 1968.

should be delegated as far as practicable to the staff directly concerned. The full text of the Secretary of State's notes is given in Appendix 2<sup>1</sup> to this memorandum.

19. The Secretary of State has now under consideration the issue of guidance to local education authorities on the government of other maintained colleges of further education. This guidance will be more general than that for the polytechnic since it will cover a number of different types of colleges providing courses in various categories. It will however suggest that the same broad principles shall apply as in the case of polytechnics, namely that the governing body should be balanced and broadly based and that as large a measure of autonomy should be exercised by colleges as is compatible with national policies and the financial and legal responsibilities of local education authorities.

### **Colleges of Education**

20. The arrangements for the internal government of colleges of education have recently been reviewed by a study group comprising representatives of the local authorities and teacher associations and of the bodies maintaining voluntary colleges. The study group in its report made precise and practical recommendations for the governing arrangements of both voluntary and maintained colleges and these have been accepted by the Secretary of State. One of the recommendations invited the Secretary of State to introduce legislation providing for the making by local education authorities of instruments of government for the constitution of governing bodies of maintained colleges and providing for the college to be conducted in accordance with articles of government made by order of the authority and approved by him. He was also invited to amend the regulations relating to colleges of education so as to make the rules of government of voluntary colleges subject to his approval. Other recommendations of the study group make firm suggestions relating to the constitution of the governing bodies and the functions to be exercised by such bodies and for the establishment of properly constituted academic boards for the colleges to encourage and enable the academic staff to play their proper part in the conduct and business of the college.

21. In a circular issued in February 1967 to local education authorities and voluntary bodies providing colleges of education, the Secretary of State drew attention to the study group's report and announced measures to bring their recommendations into effect. Local education authorities were invited to submit an early report of the action they proposed to take to reconstitute the governing bodies of their colleges in accordance with the recommendations of the study group together with draft articles of government. Voluntary colleges are similarly being asked to review their arrangements. In all cases the Secretary of State will require to be satisfied that the new arrangements reflect the liberal attitudes commended in the study group's report, and that there is a genuine desire on the part of the maintaining authority or body to give colleges substantial responsibility for their academic task and increased freedom in the performance of it.

June, 1967.

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<sup>1</sup> Not reproduced.



## THE PRESENT ARRANGEMENTS FOR THE MANAGEMENT AND GOVERNMENT OF EDUCATIONAL ESTABLISHMENTS

### Primary and Secondary Schools

1. Every county and voluntary school is required by Section 17 of the Education Act, 1944, to have a body of managers (primary schools) or governors (secondary schools) constituted by an instrument of management or government, made in the case of county schools by the local education authority and in the case of a voluntary school by an order of the Secretary of State.

2. Every primary school must be conducted in accordance with the rules of management made by order of the local education authority but the rules must take into account the provisions of any trust deed relating to the school. Secondary schools must be conducted in accordance with articles of government made in the case of a county school by the local education authority and approved by the Secretary of State. The articles for secondary schools must include provisions laying down the functions to be exercised respectively by the local education authority, the governors and the head teacher.

3. The managers of every county primary school serving an area in which there is a minor authority<sup>1</sup> must consist of not less than 6 persons of whom one-third must be appointed by the minor authority (or authorities where the school serves more than one minor authority area) and two-thirds by the local education authority. Where a county primary school serves an area in which there is no minor authority the composition of the managing body is at the discretion of the local education authority.

4. The managers of every voluntary primary school must consist of not less than 6 persons of whom in the case of an aided or special agreement school two-thirds must be foundation managers and in the case of a controlled school one-third must be foundation managers. Where a voluntary primary school serves an area in which there is a minor authority, between one-half and one-third of the managers who are not foundation managers must be appointed by the minor authority and the remainder by the local education authority. Where there is no minor authority all the managers who are not foundation managers are appointed by the local education authority.

5. For voluntary secondary schools, the Education Act provides only that the instrument shall be made by the Secretary of State after consulting the local education authority and that it must provide in an aided or special agreement school for two-thirds of the governors to be foundation governors and in a controlled school for one-third of the governors to be foundation

<sup>1</sup> For this purpose a minor authority means, in relation to any school maintained by the local education authority for a county area, the council of any borough (other than a county borough) or urban district or rural parish which appears to the local education authority to be the area served by the school.

governors, the remainder in each case being appointed by the local education authority. For county secondary schools the terms of the instrument of government are determined by the local education authority.

6. Section 20 of the Education Act, empowers a local education authority to make arrangements for the constitution of a single managing or governing body for any two or more county or voluntary schools maintained by them: the arrangements may relate to primary schools or to secondary schools or to both primary and secondary schools, but voluntary schools cannot be included in such an arrangement without the consent of the managers or governors.

7. Apart from Section 24(2)(a) which requires that the rules or articles of an aided school must make provision for the appointment of teachers by the managers or governors to their service, the Act makes no provision as to the extent of the powers and duties to be exercised by managers or governors. Typical powers and duties are set out in the attached Annex. The information about the articles of government for county and voluntary secondary schools is taken from the models drawn up by the Department. As county secondary school articles are only approved, and not made by the Secretary of State, some articles for county schools are more restrictive than the model.

8. Many of the rules and articles are subject to the directions or regulations of the authority. The extent of the powers delegated to managers or governors will therefore vary from authority to authority.

9. The subjects covered by both rules and articles are the care and upkeep of the premises; the appointment and dismissal of head and assistant teachers and non-teaching staff; the organisation and curriculum of the school; the fixing of school holidays; and the admission of pupils. In addition the articles of government include clauses on finance and (in the case of an aided secondary school) equipment.

10. The governors of secondary schools normally have the privilege of submitting estimates of income and expenditure for the school and, once the estimates have been approved by the authority, they may meet any of the expenditure on the school for which the authority is responsible up to the amount approved under each head of the estimate. The managers' financial scope is rather more limited and no specific financial provision is included in the rules.

11. Governors generally seem to have a greater say in the appointment of teaching staff. Apart from the special case of the aided school, there seems to be very little difference in the powers of managers and governors in connection with the appointment of the head teacher. It is in the dismissal of the head teacher and in the appointment and dismissal of assistant teachers that governors seem to have slightly wider powers.

12. In the organisation of the school and its curriculum, the provision of equipment for the school and the fixing of holidays the governors of an aided secondary school have wider powers than their primary counterparts, but these wider powers are not extended to the governors of other secondary schools.

13. The reasons for the difference between primary and secondary schools seems to be largely historical. The churches appointed bodies of managers under the chairmanship of the local vicar to manage the elementary schools they established. Management included close and detailed supervision of the head teacher and the curriculum of the school so that the head could never achieve the independence of the heads of the large independent and direct grant schools.

14. When local authorities entered the field of education they took over the idea of managers from the churches. Boroughs and urban districts were exempted from the need to provide bodies of managers for their schools if they thought fit and, generally speaking, authorities did not give their managers very wide powers. Not infrequently it happened that some managers were given virtually no powers. The non-provided denominational schools, i.e. the present voluntary schools, had statutory powers of appointment and dismissal of teachers, subject to the directions of the authority on numbers and qualifications, but even in these schools the authority kept a close eye on the organisation and secular curriculum.

15. The independent and direct-grant secondary schools, on the other hand, usually had a body of governors set up under the Endowed Schools Act. This body usually administered the endowment of the school as well as the school itself. The head master was responsible for the day-to-day administration of the school and set his personal stamp upon it. When local authorities came to set up their own secondary schools they tended to follow the independent and direct grant schools and set up governing bodies although they were under no statutory obligation to do so.

16. The White Paper of 1943 on Educational Reconstruction concentrated on the standing of the secondary school. It proposed that the new legislation should prescribe the status of the authority in relation to all types of secondary school and that steps should be taken to give authoritative definition of the status and powers of the governing body. Nothing was said about the managing bodies of primary schools, and the recasting of the educational system in the Education Act, 1944, did very little to improve their slightly inferior status. Authorities were given power to make the rules of management for the primary schools. Model rules were not issued, and although the authorities were recommended to follow the principles on which the articles of government for secondary schools were drawn up, the powers granted to managers were in the event more restricted than those of governors.

17. Very much more use has been made by local education authorities of the provisions of Section 20 of the Act which empower an authority to group two or more schools under a single governing body, than was envisaged. Speaking during the committee stage of the Education Bill on an amendment designed to limit the number of schools under one governing body to four, Mr. Butler said "... we are not at all against the spirit of the amendment ... it is not the intention of the Government that the clause should be so operated that the independence of schools will be overrun and destroyed ... there is power here in certain cases, which I do not think will be very many,

to amalgamate, and I do not want to eliminate it because the request for it has been made to us by the authorities." The amendment was withdrawn after Mr. Butler had given assurances that the clause would be looked at again.

18. It has become clear that not only have a number of local education authorities made it a practice to group several of their secondary schools under one governing body, but some have decided that a sub-committee of the local education authority can appropriately act as governing body for all the secondary schools in the area. Although the practice is most prevalent among the county boroughs it is also not uncommon in excepted district areas.

19. There is, in certain circumstances, some justification for grouping governing bodies. It is true that some authorities have adopted arrangements on these lines because they like to impose a tight control over the educational system in their area by keeping all power in their own hands ; but, at the same time, the shortage of suitable governors, administrative convenience and economy, and the gain to the governors in seeing the problems of more than one type of school often justify some form of grouping. Nevertheless it is the Department's view that any steps which led to each school having its own governing body composed of knowledgeable and enthusiastic people, prepared to take time and trouble over its affairs would be of great benefit to the schools.

### **Further Education Establishments**

20. Regulation 8 of the Further Education (Local Education Authority) Regulations, 1959, provides that all major establishments of further education maintained by local education authorities shall "... have governing bodies which shall include substantial representation of industrial, commercial and other appropriate interests." Circular 7/59 which issued shortly after the regulations were made recommended a liberal pattern of government for these colleges, though it is believed that few colleges have achieved the considerable measure of autonomy and independence in their internal affairs recommended in the circular, particularly in regard to their powers to incur expenditure. In general, authorities have adopted the circular's recommendations that the governing body should be composed of about 20 members under an independent chairman and that in addition to representatives of the local education authority (not necessarily in a majority) and of neighbouring authorities with an interest in the college, the governing body should also include representatives of employers and trade unions ; university and professional representatives when a substantial number of advanced courses are provided ; and co-opted members likely to make a valuable contribution in their personal capacities.

21. If governing bodies are to have an active and responsible part to play, they should be empowered to spend within the limits of approved annual estimates without reference back to their parent authorities. The Department recommended that the estimates should include sums to allow governors reasonable discretion to carry out maintenance of their buildings. In practice

only the larger colleges have been allowed such freedom of expenditure. Authorities frequently maintain tight control by insisting upon the prior authorisation of all orders for goods by the chief education officer.

22. Circular 7/59 also recommended that governors and principals should have maximum participation in the appointment of lecturers and non-teaching staff, but that their overall staffing establishments should be fixed by the local education authorities. Practice differs very much from college to college, but in general, the larger the college the more responsibility is devolved on the principal, and in the largest colleges he may be solely or largely responsible for the appointment of all teaching staff up to the level of principal lecturer. Heads of department and vice-principals are usually selected by a committee of governors attended by the principal. All college staff are of course employees of the local education authority.

23. Circular 7/59 envisaged that the principal would be responsible for the admission of students and that boards of study consisting of teaching staff should be appointed to advise on curricula. Advisory committees should be set up for all major departments to provide a link between industry and commerce. These recommendations have been adopted by most of the larger colleges. In addition all the larger colleges have established or are in the process of establishing academic boards composed of the principal, heads of department and a number of teachers nominated by the teaching staff with powers to advise the governing body on a wide range of academic affairs including student admission, discipline and suspension, the conduct of examinations and the promotion of research.

24. *Assisted* colleges are most frequently established as charitable foundations and are not bound by regulations to constitute their governing bodies in any particular way. It is, however, invariably the case that the assisting authority is represented on the governing body. Regulation 17(b) of the Further Education (Grant) Regulations, 1959 enables the Secretary of State on paying grant in respect of any establishment, to appoint, if he so wishes, an assessor to attend the meetings of the body maintaining the establishment, with power to require that any matter coming before that body be referred to the Secretary of State before action is taken upon it.

25. *Direct-grant* colleges are normally established by trust deed and are subject to the Further Education (Grant) Regulations, 1959. Their contribution to further education is generally a national one, so that the question of representation of local education authorities on the governing body does not arise. However, the authority in whose area the college is situated is normally represented.

## **Colleges of Education**

26. It is a requirement of the Secretary of State's regulations relating to colleges of education that every college must have a suitably constituted governing body. No provision relating to the composition or powers of governing bodies is included in the regulations, though guidance has been given by the Department.

### *Maintained colleges*

27. The governing body of the great majority of colleges maintained by local education authorities is constituted as a sub-committee of the education committee of the maintaining authority. The absence of any provision enabling the authority to confer powers on the governing body means that it is not possible to delegate powers to the governing body unless it is constituted as a sub-committee of the education committee or is established under a local Act. The activities of the governing body would otherwise be limited to considering and advising. (This view is based on the principle that a local education authority has only those powers which are expressly conferred on it and can only exercise its powers in the manner laid down by statute. Part II of the first schedule to the Education Act, 1944, which deals with the delegation of functions by local education authorities provides that an authority may exercise educational powers itself or it may delegate them to an education committee which in turn may delegate any of its powers to a sub-committee. Further delegation is not however authorised and is not therefore permissible.)

28. Governing bodies normally include a majority of elected members of the maintaining authority or its education committee, though this is not a legal requirement as in the case of an education committee. In addition they usually include other persons concerned with, or interested in, the training of teachers such as representatives of universities (including institutes of education), other local education authorities, and sometimes representatives of the staff of the college and of teachers in maintained schools.

### *Voluntary colleges*

29. The providing bodies of voluntary colleges are very diverse in character. Most voluntary colleges have affiliations to particular religious denominations but some were founded by dioceses or groups of dioceses, some by religious orders or societies and some by the central authority of a church. A few were established by special trusts. The composition of the governing bodies varies substantially but the general pattern is for the providing body to be in a majority and for educational interests, particularly universities and institutes of education, to be represented.

30. The extent of real responsibility exercised by governing bodies of both maintained and voluntary colleges varies from college to college. The range of functions includes the general day to day running of the college within the framework of the size and character evolved by the Department of Education and Science, the providing body, and the institute of education with which it is associated ; the broad pattern of courses ; and the internal organisation, admissions and discipline (though many of these matters are in practice made the responsibility of the principal) ; the appointment of teaching and non-teaching staff ; and the incurring of expenditure on supplies, maintenance, etc., within a budget laid down by the local education authority (in the case of a maintained college). In some cases the governing body is advised on academic matters by an academic board consisting of the teaching staff of the college or representative members of them.



# APPENDIX I ANNEA

Primary				Secondary			
Powers and Duties	Aided	Controlled	County	Aided	Controlled	Special Agreement	County
Premises	(a) Managers inspect and keep authority informed of condition of premises. (b) Managers carry out urgent repairs, subject to regulations of authority, up to such amount approved by authority.	As for Aided primary.		(a) As for Aided primary. (b) Governors carry out repairs in circumstances specified in authority's regulations.		As for Aided secondary.	(a) As for Aided primary. (b) When empowered, governors carry out urgent repairs up to amount approved by authority.
Head Teachers (Appointment)	Managers advertise, interview and appoint to their service. Authority advise on educational qualifications.	Appointment made by joint committee on which managers are represented.		As for Aided primary.	Appointment made by joint committee on which governors are represented.	Governors draw up short list on interview and recommends candidate to authority for appointment.	Appointment made by joint committee on which governors represented, or governors draw up short list and authority appoint.
(Dismissal)	Managers may suspend and dismiss the head for misconduct or other urgent cause but authority have power to prohibit dismissal without their consent and to require this dismissal.	Authority dismisses.		As for Aided primary.	Authority dismisses but after consultation with governors. Governors may recommend dismissal.	Governors may suspend head. Authority dismisses on recommendation of governors.	Governors may suspend head. Authority dismisses on recommendation of governors.
Assistant Teacher (Appointment)	Managers advertise and appoint to their service. Authority determine the staffing establishment and may prohibit the appointment.	Authority appoint but the managers have to be satisfied if the teacher is to give religious instruction.		As for Aided primary.	Appointment made by governors to service of authority.	Appointment made by governors to service of authority.	Appointment made by governors to service of authority.
(Dismissal)	Managers may suspend and dismiss for misconduct etc. Authority have power to require dismissal or prohibit.	Authority suspends. Managers may ask authority to determine employment of a reserved teacher who fails to give efficient religious instruction.		Governors dismiss but authority have power to require dismissal.	As for head teacher.	As for head teacher.	As for head teacher.

Generally as for Controlled Schools



Correspondent to school (primary) or clerk of Governors (secondary)	Managers appoint and dismiss subject to directions of authority on conditions of service.	Authority appoint and dismiss on recommendation of managers. Authority determines conditions of service.
Non-teaching staff	Managers appoint and dismiss subject to directions of authority on number and condition of service.	Authority appoint and dismiss on recommendation of managers.
Organisation and curriculum	Authority, in agreement with managers determines educational character of school and subject to this and the regulations and directions of the authority the managers have general direction of the conduct and curriculum.	Authority, in agreement with managers determines educational character of school and subject to this and the regulations and directions of the authority the managers have general direction of the conduct of the school.
Holidays	Authority fix holidays but managers grant mid-term and occasional holidays.	As for Aided primary.
Admission of pupils	Managers responsible for admission of pupils in accordance with arrangements agreed with authority.	As for Aided primary.
Finance	—	—
Equipment	—	—

Generally as for Controlled Schools

Governors appoint and dismiss. Authority determines proportion of salary in respect of the maintenance of the school.	Governors appoint to service of authority. Authority dismisses on recommendation of governors.	Governors appoint to service of authority. Authority dismisses on recommendation of governors.	Authority appoint and dismisses on recommendation of governors.	Authority appoint and dismisses on recommendation of governors.	Authority appoint and dismisses on recommendation of governors.
As for Aided primary.	As for Aided primary.	As for Aided primary.	As for Aided primary.	As for Aided primary.	As for Aided primary.
Subject to provisions of development plan governors have general directions of conduct and curriculum of school.	Governors have power to fix holidays but authority determines the total in any year.	Governors have power to fix holidays but authority determines the total in any year.	Governors have power to fix holidays but authority determines the total in any year.	Governors have power to fix holidays but authority determines the total in any year.	Governors have power to fix holidays but authority determines the total in any year.
As for Aided primary.	As for Aided primary.	As for Aided primary.	As for Aided primary.	As for Aided primary.	As for Aided primary.
Governors submit estimates of income and expenditure to authority. When empowered, governors may incur expenditure within the approved estimates.	Governors submit estimates of income and expenditure to authority. When empowered, governors may incur expenditure within the approved estimates.	Governors submit estimates of income and expenditure to authority. When empowered, governors may incur expenditure within the approved estimates.	Governors submit estimates of income and expenditure to authority. When empowered, governors may incur expenditure within the approved estimates.	Governors submit estimates of income and expenditure to authority. When empowered, governors may incur expenditure within the approved estimates.	Governors submit estimates of income and expenditure to authority. When empowered, governors may incur expenditure within the approved estimates.
Governors choose books etc, but obtain under authority's central purchasing arrangements where possible.	—	—	—	—	—

## NATIONAL ASSOCIATION OF PARISH COUNCILS

### Report on the parish meetings campaign, 1967

(This report relates to question numbers 645 and 649—Day 6)

This is a report on a campaign which from most points of view was a distinct success. It has certainly provided food for thought.

#### The Campaign

1. The decision to launch a parish meetings campaign for March, 1967, was taken early in 1966. Contacts were made with many organisations with a rural following: these included the Standing Conference of National Voluntary Youth Organisations; the Churches; the National Federation of Women's Institutes; and the National Allotments and Garden Societies. Letters were also written to all county and rural district councils.
2. A leaflet on the conduct of parish meetings was produced and circulated to parish councils, the organisations mentioned above and anyone else who asked for them. 22,000 copies were eventually sent out.
3. Press notices about the campaign were sent to all national newspapers and agencies and also to a large selection of provincial newspapers direct. Contact was made with all the broadcasting and television organisations; and special approaches were made to the various parish magazine syndicates. County Associations also made their own approaches to the press. The result was a considerable volume of publicity. Mr. Albert Jones (Caernarvon) made a television broadcast appearance in Welsh; the Deputy Secretary a radio broadcast appearance in English. There were dozens of friendly leading articles in the provincial press and in the church periodicals. An article by the Secretary in "Home and Country" (the Women's Institutes magazine) created a demand for offprints. The only hostile press reaction was a leading article in a Bristol paper.
4. As March approached the Association made a standard foolscap size advertisement available and eventually sold 28,000 of them. Reports from many quarters suggest that this was a valuable contribution to the campaign.
5. The Chairman of the Council, the Secretary, and the Deputy Secretary arranged to speak at ten parish meetings in counties adjacent to London. Many officers of County Associations did likewise in their own areas and in many parishes officers and members of other authorities were invited and took part.
6. County Associations were asked to explain the purposes of the campaign to parish councils in their own words and each parish council was provided with a simple form for return to the County Association stating the date and place of the meeting, the number of parish councillors and of other electors present and a space for comments. These figures were consolidated and the totals were sent to the National Association, with the County Associations comments if any.

7. Though the meeting period is March and the totalled returns were requested at the end of April, figures based on replies from only 3,245 parish councils had reached the National Association by 15th May. These showed attendances of about 21,600 parish councillors and 48,400 other electors making roughly 70,000 in all.<sup>1</sup> If the average attendance at the remainder of parishes with a parish council was only 10 (of whom 3 were not parish councillors) this brings the figure up to 110,000 without taking into account the 3,300 parishes without parish councils. Late returns suggest that this is in fact a pessimistic estimate.

## The Dark Side

8. For simplicity's sake the National Association did not ask for details of particular events, but many County Associations sent them where they seemed of interest. Thus it turned out that Holyhead Rural (Anglesey) has had only 8 parish meetings since 1910; a parish council in Devon reported that no parish meeting had been held for 20 years; the clerk of another in Holland said that "no meeting was held because no one had attended in the past", and the Pembrokeshire Association's comment was "Many parishes do not appear to hold a parish meeting in March, it transpires: only May"; one parish in Surrey recorded "Councillors nil; electors 5"; a number of parish councils (especially in Somerset) thought that a poor attendance was a sign of satisfaction with the parish council, and similarly a number produced "lack of controversial issues" as a reason for low figures. It may be suspected that the large number of parish councils who failed to make a return conceals at least some who failed to hold a meeting at all and many recognisable failures.

9. It is not easy to summarise the reasons for failures because sometimes these depended upon some local factor such as a counter attraction on the same night, or extreme cold, or in two cases witnessed by the Secretary the fact that several parish meetings had already been held in the past year. It is, however, possible to identify certain difficulties which can and should be remedied:—

- (a) *Incompetent Publicity.* The Association's poster was sold in half dozens; the fact that only 28,000 were sold means that about 3,000 parish councils did not buy any posters and though some such as Kings Langley (Hertfordshire) produced excellent ones of their own, it seems probable that too many parishes confined themselves to the quite useless statutory minimum. The Secretary actually saw three such cases.
- (b) *Lack of Knowledge.* The difference between a parish council meeting and a parish meeting was not always understood. One Clerk, for instance, of a parish with a population of 1,600 said that "average attendances were 9 out of 15" and a Bishop in a friendly circular to his clergy urged them to take interest in the "annual parish council meetings in March".
- (c) *Lack of Initiative.* The Association's advisory leaflet was much read and praised, but it seems all to probable that in the "failed" parishes the suggestions went unheeded.

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<sup>1</sup> In 1968 replies from 3,106 parish councils by 17th May showed an attendance of 21,993 councillors and 48,947 other electors, making a total of 70,940.

10. Apart from failures leading to poor attendances there were failures in the conduct of meetings themselves. Of these easily the most damaging was the prolongation at the very start of purely formal business such as reading the notice convening the meeting, reading the minutes and reading the accounts with the meticulous attention to shillings and pence ; where this sort of thing piled up, the first half hour effectively sent the public to sleep, and it was difficult to get them to pay any attention later. There was also a tendency for those who were making reports to read them : in one case the person concerned broke his spectacles half way through and passed his speech to someone else who intoned it to the bitter end. Two cases came to notice where excellent diagrams were prepared by the Clerk who was then forbidden to exhibit them ; and often the accounts presented were audited figures a year behind the times. The preparation and conduct of parish meetings and the presentation of facts and accounts at them is a subject which may be tackled at county educational conferences for parish councillors.

### **The Bright Side**

11. The previous three paragraphs might have created the impression that the exercise failed, but it must be remembered that they are concerned with the admittedly numerous bad cases and that complaints always make a lot of noise. Actually there were many successes. 180 members of the public attended at East Horley (Surrey). At Cynnog and Llanberis (Caernarvon) there were 28 and 31 where none had come the year before. Alderholt (Dorset) reported 78 and "a very satisfactory meeting". Kidlington (Oxfordshire) rechristened the function "The Village Conference" and 120 people said unanimously that they hoped to come again. Bromley (Northumberland) held its first parish meeting for 20 years and netted 68. East Malling (Kent) staged a local government exhibition. In Dorset, Charmouth had a meeting of 165 out of a population of 900 and Burton Bradstock returned 112 with the comment "A normal attendance : about 25 per cent of the electors."

12. There are other signs of useful results. There has been a steep rise in the national office in the number of enquiries about parish councils from non-parish councillors and many of these correspondents mentioned the campaign. Though figures are lacking there has been an increase in the number of contested elections and most observers seem to think that the campaign is somehow connected with this fact. As a further result there has been a spate of enquiries from parish councils with newly elected majorities.

13. It requires only a very casual reading of the local press to see that issues raised at interesting parish meetings attract attention, and give an excellent impressionistic picture of public needs. Charlbury (Oxfordshire) discussed at length a proposal to raise the population from 1,750 to 5,400. At Llanasa (Flint) they complained that contractors were removing so much sand that the sand hills were ceasing to be a safe barrier against the sea. Brampton (Yorkshire) objected to a proposed public lavatory in the middle of the village. Wool (Dorset) wanted a new parish hall, and Cumnor (Berkshire) was furious at the delay in building a by-pass. Such examples can be multiplied literally by the hundred. Well conducted parish meetings are a sounding board for local needs.

14. Bearing in mind that this experiment is without precedent and that the parish meeting machinery was known to be rusty the campaign may be regarded as a distinct success, or at any rate a good stepping stone for further efforts. 110,000 people came to these meetings. One may be tempted to ask how many other organisations can fetch 110,000 people out of their homes in a night in March.

15. In any event the campaign has helped to reveal much useful information about the way in which future campaigns might be conducted.

June, 1967.

## **MINISTRY OF HOUSING AND LOCAL GOVERNMENT**

### **Supplementary memorandum on transitional problems of local government reorganisation**

(This memorandum relates to question numbers 824 to 829—Day 7)

#### **I. Introduction**

1. When a new local authority is launched—or a whole pattern of new authorities—the matters to be dealt with fall into two main groups:

- (a) the creation of the new authority itself—the new council and the framework of its organisation must be brought into existence;
- (b) arrangements must be made to permit the smooth transition from the existing system to the new one—to allow the new authority to take over the local government services as going concerns and to continue running them without any hiatus. This involves making advance preparations regarding functions, property, staff, etc.

2. The main lines can be laid down by statute supplemented by Ministerial orders but in practice all the detailed work falls on the local authorities themselves and especially on their officers who have to cope with it in addition to their current duties. It involves an enormous burden both before and after the actual changeover.

3. The preparatory work is greatly facilitated by the early establishment of a “shadow” authority to represent the as yet unborn new body. This would consist of a joint committee representing the existing authorities from whom the new one will eventually take over. The London Government Act 1963 required the existing authorities to set up these joint committees for the preparatory work but in fact they were already operating on an informal basis before the Act was passed.

4. The last few years have seen a number of important new authorities established by Ministerial orders made under the Local Government Act 1958—the new county boroughs in the West Midlands for instance, on Teesside and at Torbay and the new counties of Huntingdon and Peterborough and Cambridgeshire and the Isle of Ely. The examples quoted in this memorandum are chiefly taken from the reorganisation of London government, however, because it is assumed that any future reorganisation of local government stemming from the report of the Royal Commission would follow the London precedent so far as mechanics are concerned with the main changes laid down by statute supplemented by orders dealing with consequential and transitional matters.

#### **II. Bringing the new authority into existence**

5. *Boundaries.* The essential first step is to define the area within which the new authority will operate. The quickest and most convenient way—if this is practicable—is to adopt boundaries which have already been defined

for existing local government purposes, i.e. by building up the new area from an amalgamation of complete existing units whether they be counties, county boroughs, county districts or parishes. Where a new line has to be drawn which is not already a local government boundary two kinds of problems are raised:

- (a) the need to devise a new boundary implies that it is possible to draw it with considerable exactitude and that there are criteria which permit one to say precisely where it should be drawn. This could hardly be done without inspection on the ground and local consultation and would be likely to give rise to demands for public inquiries;
- (b) the mechanics of defining the boundary means that it must either be described in the statute or order or else drawn on a map. Both can be cumbersome though maps will probably be needed in any case for the electoral areas.

6. No new local government area can be brought into existence without considering the impact on its neighbours and where a complete new pattern of areas is under consideration it must, of course, be looked at as a whole. Such a pattern is likely to involve a balancing of the advantages and disadvantages of different possibilities. The pattern of London boroughs was deliberately formed by grouping together existing boroughs, metropolitan boroughs and urban districts, but in a very limited number of instances new boundaries were drawn. Two of these (involving the division of Wandsworth and Chislehurst and Sidcup) involved the substantial subdivision of existing areas where this was thought essential to the initial definition of the borough pattern; the others were non-contentious and were to adjust obvious boundary anomalies. Public inquiries were not thought necessary but there were other forms of local consultation—in conferences with groups of existing authorities on the borough pattern as a whole and with individual local authorities on the drawing of the new boundary lines. These new boundaries were described in Part II of the First Schedule to the Act.

7. Machinery is always available to permit boundaries to be subsequently adjusted by order at the instance of one or all the local authorities concerned.

8. *Electoral Areas.* It is very unlikely, when a new local government unit is defined, that it will embrace existing areas which can be adopted straight away for the election of the first council. If a new unit is formed from the amalgamation of complete counties and/or county boroughs it is possible that Parliamentary constituencies (which, if the provisional proposals of the Parliamentary Boundary Commission are implemented in due course, would not normally cross county boundaries) could be used for the local government elections but this would be the only likely instance.

9. Normally, of course, proposals for the alteration of electoral divisions or wards come from the local authorities empowered to act in this field—the county councils and borough councils. When a new local authority is to be created, however, it is the practice for the Home Secretary to seek proposals for new electoral areas from the existing local authorities within the area of the new authority.

10. Electoral areas are obviously matters of close interest to the political parties and others. Public inquiries into this aspect of reorganisation would, on past form, be necessary where the proposals attracted objections—inquiries were held in 29 out of the 32 London boroughs when the ward proposals were under consideration. Such inquiries are conducted on behalf of the Home Secretary by a panel of independent barristers; their reports are necessarily detailed and need careful study. The task of coping with a large number of new authorities simultaneously all over the country is one which must be taken fully into account when drawing up any tentative timetable of reorganisation. The electoral areas finally decided by the Home Secretary would probably have to be defined on maps of each new local government area.

11. *Officers.* The new council—which will be elected before the present authorities go out of existence—will have no immediate responsibility for local government services. The first task of the new council (which will initially be serviced by officers from the existing authorities) will be to appoint their Clerk and other chief officers. It may be right to advertise the key posts though below the chief officers and their deputies it is to be expected that all posts will be filled by officers being transferred from the existing authorities.

12. *Complements and Organisation.* Before the date on which the new authority take over their full functions the chief officers must prepare and the council must decide on the main lines of their internal organisation: staff complements, chains of command, committee structure, area organisation, etc.

### **III. The transition from the existing to the new system**

13. The new authority once set up must know what they will be taking over from their predecessors especially in the way of functions, property and staff. The basic arrangements would be contained or indicated in the main statute but it is likely that many details would need to be elaborated in subsequent Ministerial orders.

14. *Functions.* The main statute would aim at defining the powers and functions of the new authority in so far as these are contained in public general Acts. This would be done in general words by saying, for instance, that the authority shall be the local health authority for the area or that (subject to any specific provisions) they shall have all the functions conferred on boroughs.

15. Powers and functions contained in local Acts present a special problem. The main reorganising statute would probably contain a provision to the effect that, subject to any other action, local Acts would continue to apply after reorganisation in the same areas and in the same way as before, but this would be only a long-stop and more specific adaptation would be needed. It would be desirable to attempt at the same time to provide for the repeal of the considerable number of local Act provisions which have been superseded or are for other reasons defunct.



16. The Department mounted a considerable exercise as part of the re-organisation of London government. In consultation with the existing authorities it reviewed some 500 local Acts in force in and around Greater London and initiated a series of amending orders. Some 75 per cent of the local Act provisions were repealed by these orders and a more drastic approach might have pushed this percentage even higher. The remaining provisions were adapted to the new framework of areas and functions so that the G.L.C. and each London borough took over a coherent set of local Act powers. Local Act powers still differ from one London borough to another, however, and the final rationalisation was left to the further machinery contained in the Act.

17. One reason why special action was needed in London was that the previous general legislation in the L.C.C. area had been different from that in the rest of the country in a number of important fields, e.g. public health and highways. The London Government Act removed most of these historical differences but this meant that local Acts in that area, which had been passed to supplement the special statutes previously applying, no longer made sense against the revised background of general legislation.

18. It has not been found necessary for the elaborate London exercise to be repeated in other parts of the country, even in areas where substantial reorganisation has taken place, e.g. the West Midlands. General words were used to provide for the initial retention of local Acts but these were all to expire at the end of 5 years; the new local authorities were in effect given 5 years to review the local legislation applying in their area and to promote further private Bills to retain such provisions as were still needed. This approach which requires the local authorities themselves to rationalise and to prune their local Acts is one which might be adopted generally.

19. *Property.* The most straightforward case is where a new local authority is formed by the amalgamation of two or more existing authorities and the new authority also takes over, unchanged, all the powers and functions of its predecessors. In such circumstances the new authority would simply inherit all the property of the existing ones. The problems arise not from amalgamation but from division—where an existing area is divided on the formation of a new one or where functions in the hands of one authority are re-distributed among two or more authorities, e.g. where certain second tier functions are transferred to a top tier authority or vice versa.

20. Property in this context includes not only physical premises, houses, schools, institutions, etc., but also cash balances and all forms of rights, contracts and liabilities. The detailed work involved for the local authorities is obviously enormous, but the basic rules can be quite shortly stated:

- (a) property held in relation to the exercise of a particular function in a named area shall (whether it is physically situated in that area or not) be transferred to the authority which will in future be responsible for that function in the area, and
- (b) all property not swept up in this general approach through functions (e.g. the town hall or land not specifically held for a particular function) shall be transferred to a named residuary legatee.

21. A number of special problems arise that have to be dealt with separately, e.g. properties held for more than one purpose (which may have to be transferred to one authority with rights of user given to another), or residential properties in the field of education, health, welfare, etc., which may serve a large area which is to be sub-divided (special schemes of joint use may be needed here).

22. *Staff.* The chief officer and deputy chief officer posts in a new authority may be filled by advertisement though many of the successful candidates are likely to have come from the existing authorities from whom the new one is taking over. All other officers and employees of the existing authorities must be transferred and the aim is that everyone should, so far as possible, continue doing the same job as before. All those working in particular premises (schools, homes, etc.) or operating particular services would therefore be transferred to the new authority taking over the premises or service.

23. The main problems here are those connected with officers, especially those at headquarters, whose field of work is being divided. Special arrangements and schemes may be needed and, as before, there must be provision to ensure that any officer not transferred with a particular function will finish up in the employment of the authority named as residuary legatee.

24. Special provisions are, of course, needed to protect the interests of transferred staff, to compensate officers whose new job might be less well paid than their previous one or who might be declared redundant (fears of widespread redundancy on the reorganisation of London government proved to be unfounded—only about 200 people out of perhaps 200,000 transferred were in the end declared redundant and half of these were individuals over the age of 60). The London Government Staff Commission was appointed with special responsibilities for advising on the steps needed to safeguard staff interests and a similar body would doubtless be thought desirable in any future general reorganisation.

#### **IV. General conclusions on the mechanics of reorganisation**

25. Whatever principles are accepted as the basis of reorganisation, some compromises are inevitable when they are translated into practice. This is certainly true when it comes to defining a complete new pattern of authorities over a wide area; the size and boundaries of each unit must fit in with all the others. A new comprehensive pattern of authorities must to some extent be the result of administrative decisions, supplementing a study of the physical conditions on the ground, the location of settlements, the communication network etc.

26. One certain lesson to be learned from the history of post-war reorganisation, however, is that it cannot be carried out piecemeal. The creation of a complete pattern of areas and functions by a single operation with as few subsequent stages as possible would (although painful at the time) be the best approach in the long run. It would need to be a political decision—as all local government reorganisation must be in the end—but it would reduce to a minimum what would in any case be a long period of upheaval. The extent to which it would be practicable is examined in Part V of this paper.

27. In reaching conclusions on a pattern of new authorities it is desirable to adopt existing local government boundaries as far as possible and to avoid breaking up existing areas because of the administrative problems otherwise created in connection with property (including finance), staff and local Acts. It would be unlikely that, in any revised second-tier structure, a new pattern could be devised without departing from county boundaries in some places, but it is to be hoped that the instances would be fewer in which it was necessary to depart from county district boundaries.

28. For the same reasons—because any upheaval results in a temporary loss of efficiency and because division causes much more problems than amalgamation—it would be desirable not to go further than is necessary in breaking up organisations by transferring functions as distinct from areas.

29. Even though new local authorities may in law be completely new and different entities the new system must in practice grow from a rearrangement of the staff, property and organisations of the existing authorities. The existing authorities will in any case service the embryo new authorities before the latter finally take over and the practical implications of the transition in each new area must be borne in mind. In some instances an existing authority will in practice be the foundation on which a new one is based—as the L.C.C. was for the G.L.C. This is not to suggest that a new authority should necessarily be visualised as the successor to any particular existing one, but it is legitimate to consider where for instance a new authority would be centred, what headquarters offices it might inherit and what predecessor authorities would principally contribute towards its formation.

## **V. Possible alternative patterns of reorganisation**

30. The following paragraphs attempt to indicate some of the main problems involved in bringing into operation alternative systems based upon all-purpose authorities and a two-tier structure. The possible repercussions at parish level are not examined.

31. *A pattern of all-purpose authorities.* After consultation with the authorities the Bill would presumably define the areas of the new authorities, thus establishing the new pattern (subject to minor tidying-up by ad hoc orders later). Separate action would be needed to define the electoral areas within each unit and the size of the problem for the Home Office would depend on the total number of new authorities.

32. So far as the functions now exercised by county boroughs and county districts are concerned they, together with the staff and property involved, would all be transferred to the new authorities en bloc. This part of the exercise would be straightforward unless any present borough or district was being subdivided.

33. If it is assumed that a pattern of all-purpose authorities would be more numerous and generally smaller than the existing administrative counties, then the main transitional problems presented by this type of structure would be those connected with the break-up and subdivision of county services and organisations. These problems would be substantial because staff and institutions serving the whole of a county area could not easily be re-allocated among smaller areas.

34. *A new two-tier system.* The mechanics of creating a new two-tier system would depend to some extent on how the functions are to be shared and especially on whether the second-tier authorities are to have anything more than the existing functions of county districts. Two alternative tiered systems are therefore considered.

35. *First alternatives.* One of the systems recommended to the Commission would consist of a pattern of large top-tier authorities entrusted with a few strategic functions supplemented with a second-tier pattern of most-purpose authorities which would be substantially larger, on average, than the present boroughs and districts. This kind of pattern has affinities to the Greater London system which was created at both top-tier and second-tier level simultaneously. To deal with the whole country at both levels in this way would involve, however, not 33 new authorities as in London but a total of possibly some hundreds. There would need to be preliminary consultation over the pattern of top-tier and second-tier areas and if these were all included in the Bill the Committee Stage might be very protracted indeed. And the task of defining the electoral areas for the top and second-tier authorities simultaneously in such a large number of authorities would be so great as to suggest that special and ad hoc arrangements might have to be made for the first elections.

36. The possibility would have to be considered of establishing this tiered structure in two stages, by reorganising at the top-tier level in the first operation and for the whole country, and then defining the second-tier authorities separately for each top-tier area over a period of time. This course would avoid the practical problems of re-drawing the map of second-tier authorities (and their electoral areas) simultaneously for the whole country but it could create problems of a different kind connected with the transfer of services, staff and property. Suppose, for example, that the ultimate system proposed that a service now administered by the counties should finally be entrusted to second-tier authorities when the latter had been regrouped to form fewer but stronger units. The formation of the top-tier authorities in the first stage of reorganisation would necessarily affect the counties and they could hardly be kept in existence for a period of years, in parallel with the new top-tier authorities, in order to administer the service or services in question until the second-tier authorities were ready to take them over. One possibility would be to concentrate all existing county functions with the new top-tier authorities from whom they would be transferred as the second-tier authorities were reorganised area by area, but this would mean that some of the major services would be subjected to a double upheaval and the whole process of reorganisation would be spread over several years.

37. *Second alternative.* If the ultimate system was to be one in which all the major functions were to be concentrated with the top-tier authorities the problems of simultaneous reorganisation at top and second-tier would be the same as those mentioned in paragraph 35 but a two-stage operation would present fewer difficulties. The new major authorities would be defined and their functions laid down in the Bill. These might include all the functions now in the hands of the counties from whom they would take over all staff and property. They might at the same time take over the same functions (plus staff and property) from the county boroughs, except where a county

borough was of sufficient size to have a function allocated to it which otherwise would be a first-tier function. Presumably this would be settled in the main legislation. First-tier authorities might also take over concurrently certain services of county district type where it was clear that in any circumstances these should in future be top-tier functions. Generally, however, it would be preferable to leave existing county district functions undisturbed at the first stage so as to avoid to the greatest possible extent the risk of a double upheaval. The existing county boroughs and county districts could then be left initially unaltered in boundaries, though with reduced functions, until they were reorganised, possibly as a result of reviews carried out in their areas by the new top-tier authorities on the lines of county reviews. Here again the process would have been spread over a long period—the new top-tier authorities would have to settle down before they could even start on the task of reviewing their second-tier authorities—but the upheaval on the second round would be less if the major functions had all been concentrated at the top level from the start.

June, 1967.

## **ASSOCIATION OF EDUCATION COMMITTEES**

### **Notes on delegation to governing bodies of schools**

(These notes relate to question number 1207—Day 11)

While it is felt, and is indeed expressed in our written memorandum, that local education authorities should have considerable discretion in the matter, the notes which follow represent our own views on what seem to us to be reasonable and acceptable provisions. We assume, of course, that while responsibility for drawing up the scheme would rest with the L.E.A., the Secretary of State would have power of approval in order to enable him to exercise some influence on the general national pattern.

The secondary catchment area would be the area allocated to a governing body which would be responsible for the secondary school(s) and the tributary primary schools. Schools is given in the plural in that a small town, say 4/5,000 might have two secondary schools—single sex. It is not envisaged that governors would normally have oversight of more than two secondary schools—this would need to be adjusted in the light of primary schools associated.

Each primary school, if it was situated some distance from the secondary school, as is the case in rural areas, would need a small local body—we would suggest three persons acting as a sub-committee of the governing body and sending at least one of its members to the governing body. Each head teacher would have the right to attend meetings of the governing body when matters relating to his school were to be discussed. The governors would have a staffing sub-committee of which the head teacher of each school would be a member when appointments in his school were under consideration.

All head teachers would be appointed by this staff committee acting with an equal number of representatives of the local education authority. The joint committee would appoint its own chairman and would comprise, say, a dozen persons.

The governing body would prepare estimates, in the light of submissions from the small primary sub-committees and its own estimates. Expenditure within the approved estimates would be a matter for the governing body, and this power would be appropriately delegated to sub-committees for primary schools within approved limits.

The arrangement for the purchase of supplies would be governed by policy laid down by the local education authority but should allow reasonable local purchase, having regard to contractual advantages of local education authority suppliers.

The schools position in the overall provision of the authority must be a matter for determination by the local education authority, but the governing body would be consulted on major building matters and would have discretion within limits on minor building matters, repairs, etc. Decorations

would be included in annual estimates, and details thereof would be settled in consultation with local education authority specialist officers and sub-committees of governors. Urgent matters outside estimates would be cleared through the divisional officer who would decide if reference to the education committee was necessary in the light of the financial position.

Alongside the governing body would be the professional committee comprising the heads of schools. It is envisaged that the governing body would meet in the evening, preceded by the professional body which would have a tea-party after school. Meetings once in each term are envisaged. Each sub-committee would have the right to nominate one member of the governing body and the chairman of the governing body would have the right to attend meetings of all sub-committees. In the case of church schools the incumbent or his nominee would be a member of the appropriate sub-committee but would not automatically be its representative on the governing body—this would be determined by the sub-committee itself. Sub-committees would have a membership of three, excluding the head teachers, who would normally have the right to attend all meetings.

The governing body would vary in size according to the number of primary sub-committees, but a full governing body should be between 12–15. It might have the following composition in rural areas :—

- (a) Elected by L.E.A.           ...   3
- (b) Elected by local authorities   3  
    in catchment area.
- (c) Elected by primary sub-   \* according to number of schools  
    committees.

\* should not exceed the total  
elected by L.E.A. and local  
authorities. (a) and (b) would  
have to be increased to avoid this  
if more than six primary schools  
were tributary.

- (d) Co-opted members, elected   3  
    by members in (a), (b) and  
    (c).

*The local representative on the local education authority should be an ex officio member of the governing body.*

In urban areas numbers in (a) may be increased and in (b) correspondingly reduced.

These are just broad ideas with a skeleton pattern of construction not to be too rigid but to be modified to suit each area.

The chief education officer would be notified of all meetings and be entitled to send a representative. We suggest the divisional officer should act as clerk to the governing body.

The chief education officer would also be entitled to attend meetings of professional groups at their formal meetings but they would normally have the right to have informal meetings.

Staffing of schools meals service would be undertaken in consultation with the staffing sub-committee and the local education authority's school meals organisers.

Caretaking staff would be in the hands of the staffing committee, subject to the general overall establishments approved by the local education authority.

Appeals by staff in disputes would be sent in the first instance to the staffing sub-committee, but with a right to appeal to the governing body and if necessary to the education committee.

School transport would be provided through the divisional officer acting under the chief education officer, in accordance with policy laid down by the education committee, but the governing body would make recommendations to the divisional officer.

July, 1967.



## ASSOCIATION OF MUNICIPAL CORPORATIONS

### Supplementary memorandum on certain considerations on the efficiency of education authorities in relation to their size

(This memorandum relates to question numbers 1293-1296—Day 12)

#### Introductory

1. When representatives of the Association attended before the Royal Commission on 20th April, 1967, they challenged the validity of certain statements which had been made in the written evidence of the Department of Education and Science<sup>1</sup> and repeated without any apparent supporting factual evidence by the representatives of the Department when giving oral evidence, regarding the relationship between the size of an education authority and its efficiency. At the conclusion of a series of questions on this subject, the Chairman invited the Association to submit a further paper and the present memorandum has been prepared in consequence.

2. In submitting this paper the Association feels bound at the outset to emphasise the very limited purpose which it seeks to fulfil. The Department of Education and Science have made a series of statements on the relationship between size and efficiency but have not disclosed facts to substantiate the views expressed. This makes it difficult to dispose of the assertions point by point. The object of this paper is therefore the negative one indicated in para. 16: not to seek to demonstrate clear-cut positive correlations between size and efficiency, but merely to show how doubtful it is that any such correlations can be found in the statistics at present available. Its purpose is not to be a rejoinder to other unsatisfactory parts of the Department's evidence, to which reference was made when the Association's representatives were heard by the Royal Commission and which are instanced in, for example, the paper submitted by the London Boroughs Association.

3. This paper accordingly examines certain published statistics dealing with the education service, in the light of the Department's claim that a positive correlation exists between size and efficiency, as measured by certain criteria. The Department's evidence is acknowledged to rest largely on subjective impressions derived partly through the Inspectorate. Such impressions, however honestly expressed, may nevertheless arise in many ways and may be influenced by claims or statements heard or read, the accuracy of which cannot be immediately verified. As an example, it is impossible to see how the Department could have any factual evidence about the relative standards of the performance of elected representatives in their committees. At the best this must rest either on hearsay or on Press reports, both of which can be dangerously misleading. Nevertheless, the statement was made in the Department's oral evidence that the elected member's contribution in a large authority is "much more effective than it is in a small authority."

4. There can, of course, be no hard answer to vague impressions such as these, since there is no possible way of assessing their accuracy. The Association must, nevertheless, challenge such statements and urge that as much

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<sup>1</sup> Written Evidence of the Department of Education and Science. H.M.S.O., 1967.

regard must be paid to the manner by which they have been reached as to the conclusions themselves. There are, however, certain aspects of the Department's general case that are more susceptible to factual analysis, and it is with such matters that this paper is primarily concerned.

## Generosity in Educational Provision

5. On p. 19 of the Department's written evidence appear the words: "Many small authorities either suffer from limited resources or are parsimonious by policy; but the latter statement applies also to some larger ones . . ." It will be noted here that the Department's differentiation is between *many* small authorities and *some* larger ones.

6.1. One important aspect of generosity is the provision of school books, stationery and equipment. In the following Table I, the index of generosity is the total of the costs per pupil listed by the Institute of Municipal Treasurers and Accountants and the Society of County Treasurers (Education Statistics 1965-66) under the headings "Text-books and Library books, Educational equipment, School stationery and materials." Costs per pupil for primary and secondary education have for this purpose been added, so that the index is not a true cost per pupil. It will, however, give a fair basis for comparison between authorities without the complication that would be involved if primary and secondary provisions were examined separately. In all the following tables, the county and county borough distributions are shown separately, and the Inner London education authorities, the London boroughs and the Welsh authorities have been excluded.

6.2.

TABLE I

DISTRIBUTION OF EDUCATION AUTHORITIES BY SIZE AND BY INDEX OF EDUCATIONAL PROVISION 1965-1966

(INDEX=Total of cols. 44, 45, 46, 47, 48, 49, 50 and 51 on pp. 20 and 21 of "EDUCATION STATISTICS")

NO. OF AUTHORITIES WITH GIVEN INDEX

Size of Authority	6	7	8	9	10	11	12	13	14	15	16	17
(a) COUNTY BOROUGHES												
Under 100,000 ... ..	1	-	9	6	8	4	2	-	-	-	-	1
100,000-199,999 ... ..	-	1	4	8	9	3	1	1	1	-	-	-
200,000-299,999 ... ..	-	-	2	1	2	-	1	-	-	2	-	-
300,000-499,999 ... ..	-	1	-	2	-	1	-	-	-	-	-	-
Over 500,000 ... ..	-	-	-	2	1	1	-	-	-	-	-	-
(b) COUNTIES												
Under 100,000 ... ..	-	-	1	-	2	-	-	-	-	-	-	-
100 000-199,999 ... ..	-	-	-	-	1	2	1	-	-	-	-	-
00,000-299,999 ... ..	-	-	-	-	-	2	2	1	-	-	-	-
300,000-499,999 ... ..	-	-	-	1	8	2	2	1	-	-	-	-
Over 500,000 ... ..	-	-	-	2	7	5	3	-	-	-	-	-

6.3. While it is true that the three small authorities with the smallest indices of 6 or 7 include two that are smaller than 200,000, it must also be said that of the authorities with indices of 12 or more, nine county boroughs—which means all the county boroughs concerned—and four of the ten counties, or a total of thirteen out of nineteen authorities, are below 300,000 in size, with seven of them being below 200,000. This gives no indication of a clear-cut increase in educational generosity as size increases. The indication is of a wider spread—in both directions—of the indices for the smaller authorities and in view of the much bigger number of authorities concerned, this is not surprising.

7.1.

TABLE II

DISTRIBUTION BY SIZE AND BY INDEX SHOWING THE PROVISION OF  
FURNITURE AND FITTINGS  
(INDEX=Total of cols. 40 and 41 on p. 20 of "EDUCATION STATISTICS")  
NO. OF AUTHORITIES WITH GIVEN INDEX

<i>Size of Authority</i>	<i>·20- ·39</i>	<i>·40- ·59</i>	<i>·60- ·79</i>	<i>·80- ·99</i>	<i>1·00- 1·19</i>	<i>1·20- 1·39</i>	<i>1·40- 1·59</i>	<i>1·60- 1·79</i>	<i>1·80- 1·99</i>	<i>Over 2·0</i>
(a) COUNTY BOROUGH										
Under 100,000 ...	—	2	8	6	8	—	4	2	1	—
100,000–199,999 ...	2	2	4	4	4	7	3	1	1	—
200,000–299,999 ...	—	2	—	3	2	1	—	—	—	—
300,000–499,999 ...	—	1	1	1	—	—	—	—	—	1
Over 500,000 ...	—	—	—	—	1	1	—	—	1	1
(b) COUNTIES										
Under 100,000 ...	—	—	1	1	—	1	—	—	—	—
100,000–199,999 ...	—	—	1	1	1	—	1	—	—	—
200,000–299,999 ...	—	—	—	1	3	—	1	—	—	—
300,000–499,999 ...	—	—	4	1	3	2	3	—	1	—
Over 500,000 ...	—	—	3	2	4	4	2	1	—	1

7.2. This table has been dealt with separately since it is possible that expenditure on furniture and fittings is affected by the size of current building programmes. The three highest indices are large authorities, but of twenty-five authorities with indices of more than 1·40, eight are below 100,000, six between 100,000 and 199,999, one between 200,000 and 299,999, five between 300,000 and 499,999 and six over 500,000. It is true that there are eight small authorities with values at less than 0·59—but in overall terms the tables present no solid evidence that the movement from smallness of authority to largeness is accompanied by a movement from parsimony to generosity.

TABLE III

DISTRIBUTION OF EDUCATION AUTHORITIES BY SIZE AND BY  
INDEX OF EXPENDITURE ON NON-TEACHING STAFF  
(INDEX=Total of cols. 34 and 35 on p. 20 of "EDUCATION STATISTICS" 1965-66)  
NO. OF AUTHORITIES WITH GIVEN INDEX

<i>Size of Authority</i>	9- 9·99	10- 10·99	11- 11·99	12- 12·99	13- 13·99	14- 14·99	15- 15·99	16- 16·99	17- 17·99	18- 18·99
(a) COUNTY BOROUGH										
Under 100,000 ...	-	2	7	6	7	4	4	-	-	1
100,000-199,999	1	1	3	6	4	5	1	5	1	1
200,000-299,999	-	1	-	1	2	-	-	1	1	2
300,000-499,999	-	-	-	-	-	2	2	-	-	-
Over 500,000 ...	-	-	-	-	-	2	-	-	2	-
(b) COUNTIES										
Under 100,000 ...	1	-	1	1	-	-	-	-	-	-
100,000-199,999	-	-	3	1	-	-	-	-	-	-
200,000-299,999	-	-	-	2	3	-	-	-	-	-
300,000-499,999	-	3	5	2	3	1	-	-	-	-
Over 500,000 ...	-	2	3	3	4	2	2	-	-	1

8.2. Analysis of the two columns at each extreme shows that the eleven least generous authorities include six below 300,000 and five above. The nine most generous authorities include six below 300,000 and three above. Again there is no picture at all of an appreciable positive correlation between size and generosity.

TABLE IV

DISTRIBUTION BY SIZE AND BY EXPENDITURE ON SCHOOL HEALTH SERVICES  
(INDEX=Cost per 1,000 of Population)

COST IN £/1,000 OF POPULATION

<i>Size of Authority</i>	150- 199	200- 249	250- 299	300- 349	350- 399	400- 449	450- 499	500- 549	550- 599	600- 649
(a) COUNTY BOROUGH										
Under 100,000 ...	-	-	2	3	6	8	4	6	-	2
100,000-199,999	-	1	3	4	5	7	2	3	1	2
200,000-299,999	-	-	-	3	-	2	1	-	2	-
300,000-499,999	-	-	-	1	1	1	-	1	-	-
Over 500,000 ...	-	-	-	2	-	1	-	1	-	-
(b) COUNTIES										
Under 100,000 ...	-	-	-	-	1	2	-	-	-	-
100,000-199,999	-	1	-	-	2	1	-	-	-	-
200,000-299,999	-	1	1	-	2	-	1	-	-	-
300,000-499,999	1	-	1	4	5	3	-	-	-	-
Over 500,000 ...	1	-	2	3	6	4	1	-	-	-

9.2. Again the tables show no evidence of more generous provision by the larger authorities. The two columns at the extremes indicate that of five authorities paying less than £250, three are below 300,000, two are above, and that of seven authorities paying more than £550, all are below 300,000.

## DISTRIBUTION BY SIZE AND EXPENDITURE ON ADMINISTRATION AND INSPECTION

(INDEX=Cost per 1,000 of Population in £)

<i>Size of Authority</i>	400- 499	500- 599	600- 699	700- 799	800- 899	900- 999	1,000- 1,099	1,100- 1,199
(a) COUNTY BOROUGHES								
Under 100,000 ...	-	2	6	11	7	2	1	2
100,000-199,999 ...	-	1	7	9	6	4	-	1
200,000-299,999 ...	-	1	1	5	-	1	-	-
300,000-499,999 ...	1	-	1	1	1	-	-	-
Over 500,000 ...	1	-	2	-	-	1	-	-
(b) COUNTIES								
Under 100,000 ...	-	-	1	-	1	1	-	-
100,000-199,999 ...	-	-	-	1	2	-	1	-
200,000-299,999 ...	-	-	-	1	3	1	-	-
300,000-499,999 ...	-	1	3	4	5	1	-	-
Over 500,000 ...	-	1	5	4	5	-	2	-

10.2. In terms of money expended per thousand of population, the pattern is similar to that revealed by Table IV. Of eight authorities spending less than £600, four are below 300,000 and four are above. Of seven spending more than £1,000, five are below 300,000 and two are above. It is recognised that within these limits the larger authorities can still provide a larger range of advisers or inspectors, though their effectiveness cannot be judged simply by the cost. The Association has already indicated its belief that the ultimate solution of this problem lies in co-operation between the authorities within a province. Meanwhile, the table certainly indicates no evidence whatever that the smaller authorities are more parsimonious.

11. In total, it is submitted most strongly that the preceding five tables, covering a wide range of educational provision, give no support for the Department's claim that the smaller authorities tend to be more parsimonious, the larger more generous. They do not indicate that capacity and willingness to meet educational needs are a simple function of size.

12. So far, the tables have dealt with those matters where it is assumed that generosity of attitude is desirable. The next two tables fall into a different category. Table VI deals with the average cost of a school meal, and since the Department of Education and Science defines within very narrow margins—and periodically checks—the nutritional value of the meals to be supplied, it seems a valid assumption that it is the lowness of the cost per meal (including overheads) that is a measure of the overall efficiency of a service. It is recognised that there are other variables operative, including socio-economic considerations which may condition the percentage "take-up" of meals. The counties have not been included in this comparison, since the problems of sparsity of population and of transport are factors affecting the school meals service.

13.1.

TABLE VI  
DISTRIBUTION OF COSTS PER MEAL IN COUNTY BOROUGHES  
NUMBER OF AUTHORITIES AT EACH COST (FOOD + OVERHEADS)

<i>Size of Authority</i>	22-22·99 pence	23-23·99 pence	24-24·99 pence	25-25·99 pence	26-26·99 pence	27-27·99 pence	28-28·99 pence
Under 100,000...	1	1	3	8	13	7	—
100,000-199,999	1	1	3	11	5	11	—
200,000-299,999	—	—	—	1	2	5	1
300,000-499,999	—	—	—	—	1	3	—
Over 500,000 ...	—	—	—	—	—	4	—

(The numbers of authorities in this table differ slightly from those in preceding tables. This is because information about school meals is available for certain authorities for whom other figures had not been published.)

13.2. This is the first table to show a clear movement on costs apparently related to size, and this is confirmed by the following table of average costs of school dinners—duly weighted to take account of the actual size of each authority—for the same groups of county boroughs.

13.3.

TABLE VI A

		Under 100,000	100,000- 199,999	200,000- 299,999	300,000- 499,999	Over 500,000
Average Cost of School Dinner	...	25·57d.	25·54d.	27·07d.	27·23d.	27·55d.

13.4. If the assumption made in the introduction is correct, then for county boroughs, efficiency of production appears to correlate inversely with the size of authorities.

14.1. The final table in this series deals with the costs of the repair and maintenance of buildings and grounds. If it can be assumed that all authorities maintain these properties at a reasonable level and in an acceptable state of cleanliness, then in this case again, efficiency should again be demonstrated in terms of the lowness of costs.

14.2.

TABLE VII

DISTRIBUTION OF AUTHORITIES BY SIZE AND BY INDEX COVERING THE COST OF  
REPAIR AND MAINTENANCE OF BUILDINGS AND GROUNDS  
(INDEX=Total of cols. 36 and 37, p. 8 of "EDUCATION STATISTICS")

NUMBER WITH GIVEN INDEX

<i>Size of Authority</i>	4·0- 4·99	5·0- 5·99	6·0- 6·99	7·0- 7·99	8·0- 8·99	9·0- 9·99	10·0- 10·99	11·0- 11·99	12·0- 12·99	13·0- 13·99
COUNTY BOROUGHES										
Under 100,000 ...	—	4	4	6	8	5	2	1	1	—
100,000-199,999	1	1	3	4	7	6	3	2	1	—
200,000-299,999	—	—	1	—	—	1	4	1	—	1
300,000-499,999	—	—	—	—	—	1	1	—	—	2
Over 500,000 ...	—	—	—	—	2	1	—	—	—	1
COUNTIES										
Under 100,000 ...	—	—	1	—	2	—	—	—	—	—
100,000-199,999	—	—	—	3	—	1	—	—	—	—
200,000-299,999	—	—	—	1	—	2	1	1	—	—
300,000-499,999	—	—	—	3	—	6	2	2	1	—
Over 500,000 ...	—	—	1	3	3	6	1	3	—	—

14.3. The table for county boroughs indicates some increase in costs as size increases, though this is less marked than in the case of school meals. Differences in respect of the counties do not seem significant. The evidence is that the small authorities carry out these functions as economically as do the larger authorities.

15. There are certain tables given in the collection of statistics which have not been considered in this analysis. The main tables are now listed, and the reasons given for their exclusion :

- (a) Salaries and wages of teachers (cols. 32 and 33).—The operation of the quota system and the variable capacities of authorities to attract teachers are factors which must dominate this problem and mask a relationship between the size of authorities and their employment of teachers.
- (b) Rent and rates (cols. 42 and 43).—These are factors independent either of size or of educational efficiency.
- (c) Miscellaneous expenses (cols. 52 and 53).—Omitted because of minor impact on total problem.
- (d) Debt charges (cols. 54 and 55).—Will be dependent on the extent to which building programmes have been approved.
- (e) Assistance to students in further education (col. 78).—This includes expenditure on university and other awards, and a dominant factor related to the socio-economic standing of authorities masks other relationships. In the case of the small county boroughs, there is a bigger likelihood of a more homogeneous social grouping one way or the other and this is illustrated by the fact that they produce a disproportionate number both of the lowest value and of the highest. Of the authorities with the ten *lowest* values, eight have populations of less than 200,000. Of the authorities with the ten *highest* values, seven have populations of less than 200,000.
- (f) General expenditure on further education.—This is so much involved with the pattern of share provision, varying considerably from area to area, that no valid conclusions could be drawn.
- (g) Of the groups of statistics expressed in terms of costs per thousand, only those showing administration and inspection costs and the cost of the health service have been tabled. The method of presentation introduces a difficulty when the ratio of school population to total population is abnormal, while there are additional difficulties affecting these tables such as variability of incidence (special education) and the fact that the contribution to certain pooled costs are calculated by methods not necessarily directly proportional to the local expenditure on the service (advanced further education and training of teachers).

## Conclusion

16. The tables have been presented, not because they demonstrate clear-cut positive correlations, but because they do not. In total, they give no indication whatever that greater size produces either greater generosity when

this is desirable, or greater economy in the two cases where this can be recognised as desirable. It is true that in some tables a very few of the smallest authorities show the lowest values—but the same population groupings also produce some of the highest values. There is, therefore, no factual evidence in the tables that would appear to justify the proposals submitted for drastic increase in the sizes of local authorities.

## Research and Development

17. It is more difficult to assemble evidence with which to challenge the contention of the Department of Education and Science that it is to the larger authorities that one must look for experimental work in curriculum development and for contributions to research in education. Again attention must be drawn to the doubts that must attach to a conclusion based on the summation of subjective impressions. There is no requirement upon education authorities to report research or development projects to the Department or to the Department's local Inspectorate, and there must be much of such work on which they have received no reports.

18. The National Foundation for Educational Research reports no evidence in its files of a correlation between interest in research and the size of authorities. Currently they receive slightly more enquiries about curriculum development from large rather than from small authorities, but in respect of other research, the margin—again slight—is in the other direction. The most obvious correlation appears to be with the known interests in research of the chief officers concerned. Both large and small authorities have taken part in the researches undertaken by the Foundation, and still do so.

19. Of the 92 authorities listed as taking part in the Nuffield Science and Mathematics primary projects (phases 1 and 2) 19 have populations of less than 100,000, 22 between 100,000 and 200,000, 14 between 200,000 and 300,000, 13 between 300,000 and 500,000, and 24 have more than 500,000. These figures—with 55 authorities at less than 300,000 and 37 above—do not really suggest an unreadiness on the part of smaller authorities to take part in research.

20. An examination of the figures given for each area showing the number of children of secondary school age who are still in unreorganised primary schools produces the following table. This is 23 years after the 1944 Education Act and 42 after the Hadow report first recommended that secondary education for all children should be provided in separate secondary schools. The table shows the percentage of authorities within each population group who had more than 50 children in unreorganised schools, at the time of the last published figures.

		Under 100,000	100,000– 199,999	200,000– 299,999	300,000– 499,999	Over 500,000
Percentage of authorities	...	8·3	10·1	18·1	18·1	41

This does not suggest that the large authorities have been more progressive than the small in achieving this particular pattern of reorganisation.



21. A retrospect of educational experiments over past years does not indicate that forward steps have always come from large authorities. This is shown in the following list of projects undertaken by small authorities which can be said to have made a considerable impact on educational thinking:—

- (a) Raising of school leaving age by bye-law, with experimental work on the needs of older children—Chesterfield (then a Part III authority).
- (b) Experimental quota-allocation to secondary schools—Walsall preceded the Thorne experiment by many years.
- (c) I.T.A. teaching methods—Oldham.
- (d) Comprehensive education early experiments—Isle of Man, Isle of Anglesey, Oldham and Westmorland.
- (e) Development of “opportunity” classes for backward children in normal schools—Wallasey.
- (f) First experimental sun-heated school—Wallasey.
- (g) Early work in the provision of nursery education certainly included work by small authorities.
- (h) The provision of the first purpose-built secondary school designed to meet “Newsom” needs—Southend-on-Sea.
- (i) A school dental service was first introduced in Cambridge (then a Part III authority).
- (j) Local certificates of education, anticipating the C.S.E., were introduced in several places (e.g. Harrow, Keighley, Reading, Swansea and Widnes) in the mid-1950’s.
- (k) Village colleges were developed in the inter-war period by Cambridgeshire, then indeed a small education authority.

These are cases which can be cited without enquiry. Clearly they cannot be assessed quantitatively, but it is again submitted that the total effect of these various considerations does not indicate that authorities must be large before worthwhile research or development can take place.

### **The Appointment and Mobility of Chief Education Officers**

22. It is difficult to reconcile all the various statements contained in the written and oral evidence. The written evidence (page 21, paragraph 93) refers to alleged limitation in the supply of suitable officers and states that only the large authority can offer the career prospects to attract the best men. There is the further statement—made categorically and without indication as to the source of the information—that the best preparation for the top rank is service through the hierarchy of a large authority, rather than by progression through a series of small authorities.

23. It will be noted that these statements make certain assumptions about the pattern of administrative movement. Argument on this score has, however, been rendered very difficult because of the post-war tendency towards the internal promotion of deputies. Faced with a question on this particular point, the Department replied that the plan for reducing the number of local authorities to about forty would encourage greater mobility. The grounds given were that “an able and energetic administrative officer

is going to look outside the confines of his own authority if it is small and simply go for the larger authority. . . . The greater the range of larger authorities, the greater temptation there is, or attraction, to move outside." It is difficult to follow this argument. If the premise is correct, then it must surely be diversity of size and not uniformity that would produce mobility. Otherwise there will be no small authorities from which movement would be sought.

24. The statement in oral evidence that it is rare for a man having reached the top in a small authority to move into a large authority is probably true. The suggestion that this is because "he seems to have become accustomed to a rather different world" is almost certainly untrue. By far the most important reason is the operation of the internal promotion system, which may effectively block his route to further advancement.

25. In an attempt to examine more factually this question of movement, the backgrounds of sixty-six chief officers have been studied. The selection is random in that it includes only those officers about whom there are entries in *Who's Who in Local Government* published in 1961.

Of 20 county authorities (4 below 300,000, 16 above 300,000):

2 chief officers have had experience in small county boroughs.

5 chief officers have had experience in large cities and in counties.

13 chief officers have had experience in counties only.

Of 34 county boroughs with populations below 200,000:

10 have had experience in authorities of similar kind and size.

6 have had experience in county boroughs and counties.

15 have had experience in counties.

3 have had experience in large cities.

Of 5 county boroughs between 200,000 and 300,000:

2 have had experience in smaller county boroughs.

2 have had experience in large cities.

1 has had experience in counties.

Of 7 county boroughs above 300,000:

4 have had experience in cities.

3 have had experience in cities and counties.

26. These figures do not indicate that mobility is greater in large authorities. It is in the larger counties that mobility appears to be the least operative. It is in the smaller county boroughs that there appears to be the greatest diversity of background. It is also significant that twenty-four out of thirty-four in the group of small authorities have had experience in authorities that are either larger or different in kind, or in some cases, both. It is difficult to see how, in such circumstances, their training could have been less effective than that of the officers who remained with larger authorities. Nor does the evidence sustain the view that the chief officers of small authorities have reached their posts by progression through a series of small authorities.

July, 1967.

## **COUNTY COUNCILS ASSOCIATION**

### **Memorandum on the parish organisation**

(This memorandum relates to question numbers 1460-1463-Day 13)

#### **Introduction**

1. The Association's written evidence to the Royal Commission concerning local government organisation below second tier level was as follows (see paragraph 33, page 11, of H.M.S.O. publication of the written evidence of the Associations):

"In principle, the Association feel that within their proposals it is essential to provide a means of expression of community opinion below the level of the second tier authorities. They have not yet considered how this should be achieved or whether any executive powers should be exercised by authorities at community or parish level; they would prefer to leave these questions open for further examination."

2. During the giving of oral evidence to the Royal Commission, questions were asked about this evidence, when the representatives of the Association agreed that within the two-tier system proposed by the Association there was a need for parish councils based on communities and that with larger second tier authorities this need was likely to be greater than at present. They explained that whilst they had not considered these matters in detail, the Association were likely to support the view that communities should have powers to provide their inhabitants with minor local services, to pay for them at community level and to have rather more flexibility than at present in the way they are allowed to spend their money. The Chairman of the Royal Commission suggested that the Association might like to consider these matters further and to submit a paper on the subject if they wished to do so.

3. The Association have given further consideration to these matters and submit the following views to the Royal Commission.

#### **Proposed Parish (or Local) Councils**

4. It is the opinion of the Association that there should be in England a two-tier local government system; they do not suggest a three-tier system. They consider, however, that within the framework of the two-tier system, in which the second tier local authorities carrying out functions obligatory upon them for their whole area will often cover a wide area and contain a number of separate communities, there is a need for a means both for the expression of community opinion and for the provision of minor local services by the community itself. Each community, including former county and non-county boroughs and urban districts within the second tier authorities' areas, should therefore have the right to elect a parish (or local) council of its own, as do parishes at the present time.

## **Functions**

5. Parish (or local) councils should not have any obligatory duties to perform. Their powers would be permissive, and even these powers should in no case be exercised in conflict with the second tier authority ; there would be no objection, however, to the council having parallel powers with the second tier authority, as at present in certain instances in parish and rural districts. However, even when the community is of a considerable population, as would be the case if in the future there are comparatively large second tier authorities made up of two or more sizeable towns and intervening rural areas, functions should on no account be taken away from the second tier authorities and transferred to the parish council as exclusively third tier functions. The guiding principle should be that services needed over the whole area of the second tier authority should remain the responsibility of that authority. This would not prevent an individual community from establishing its own open space, swimming bath or bus shelter, even though the second tier authority might be providing open spaces on a wider basis. It would be appropriate for parish (or local) councils to appoint such staff as they needed, either on a voluntary basis or by the employment of part-time professional help or paid assistance provided by the second tier authority.

## **Powers to Incur Expenditure**

6. The parish (or local) council, as the voice of the community, would have the power, though not the duty, to spend within limits to be specified local funds for the benefit of the community or its inhabitants, both generally (on the lines, but without such a severe financial limitation, allowed by the Local Government (Financial Provisions) Act, 1963) and (as now applies to parish councils) specifically on certain services such as the provision of village halls, seats, shelters and other local amenities. Such expenditure could continue to be a charge on rateable hereditaments within the parish raised by precept on the rating authority as at present. Audit functions could be undertaken by the first tier authority or by the district auditor.

## **Value to Community**

7. In the opinion of the Association, the value to the community of a parish or local council would be diminished if it could neither spend money nor undertake even minor local services ; on the other hand, a council having the power to provide local services and pay for them by local money would tend to be automatically the focal point of the community on local affairs. Rural England has been slow to accept fully the parish council, and the tradition of voluntary committees raising their own funds for village purposes is still strong, but as communities grow in strength the parish council emerges more and more as a valid and worthwhile organisation. The Association believe that this trend should be encouraged.

8. The ability to spend small amounts of their own money will be valuable to separate communities, as many second tier units are likely to consist of a number of communities, whose differing wishes and requirements make the provision of local amenities on a uniform basis for all of them a difficult and sometimes unnecessary exercise. The activities of the proposed councils,

as is now happening with existing parish councils, may well vary considerably, as do the needs of their inhabitants, but whilst the total administrative cost involved is likely to be small, their work should be of significant value in the field of local government generally.

### **Areas**

9. As already suggested, the basis of parish (or local) councils should be the "community". Whilst in some instances the amalgamation of two or more communities with interests in common and closely adjacent to each other would be appropriate, amalgamations of separate communities purely for the purpose of creating a larger unit should not be envisaged; indeed, amalgamation by grouping might well defeat the basic idea of the "community" and lead to the creation of a minor district within a district.

10. The detailed definition of such areas might be made the responsibility of the first tier authority. The case for the establishment of a parish council could be made to the first tier authority by any community which considered that there was a need for such a council in their area.

11. In a few cases existing urban districts include several distinct communities; where such an urban district loses its status in the future, there may be a case for establishing a separate parish (or local) council for each such community comprised within the former urban district. Examples of clear cases which might come under consideration for this purpose are the Lakes urban district where a group of small towns are separated by miles of moorland, or the former borough of Wenlock which, before the Shropshire county review, was a single local authority and which was reduced, as a result of the recent review, to several distinct parishes, one with the title of rural borough.

### **Charter Privileges and the Mayoralty**

12. If, in a reorganisation of local government, towns, which at present are boroughs, are amalgamated with neighbouring districts to form second tier authorities, the Mayoralty and other dignities under the Charter should attach to that town, which would have a parish (or local) council, the town area for this purpose being the area of the borough, either as it existed formerly or as appropriately adjusted to include the whole of the urbanised area of, and immediately adjoining, the town.

### **Conclusion**

13. A parish (or local) council is a suitable means of expressing community opinion. The opinions of individual communities may or may not be in conformity with those of the first or second tier authority, but the right to express them has a place in local democracy, particularly in rural areas. In addition, the need for an outlet for local opinion and community enterprise will become greater if second tier authorities with populations and areas larger than those of the present county districts are created in the future.

October, 1967.



## INDEX

# MINUTES OF EVIDENCE

## WITNESSES

Witness						Day	Questions
Department of Economic Affairs	...	...	...	...	...	1	1— 85
Ministry of Health	...	...	...	...	...	2	86— 192
Home Office	...	...	...	...	...	3	193— 313
Ministry of Transport	...	...	...	...	...	4	314— 430
Department of Education and Science	...	...	...	...	...	5	431— 588
National Association of Parish Councils	...	...	...	...	...	6	589— 672
Ministry of Housing and Local Government	...	...	...	...	...	7	673— 829
Rural District Councils Association	...	...	...	...	...	8	830— 983
National and Local Government Officers Association	...	...	...	...	...	9	984—1052
Urban District Councils Association	...	...	...	...	...	10	1053—1169
Association of Education Committees	...	...	...	...	...	11	1170—1231
Association of Municipal Corporations	...	...	...	...	...	12	1232—1382
County Councils Association	...	...	...	...	...	13	1383—1512



## INDEX TO MINUTES OF EVIDENCE

**Ad hoc authorities** (*see* under the services concerned)

### **Administration**

#### **Decentralisation**

5/Q483, 484, 504; 6/Q654; 7/Q758; 8/Q942, 978, 979; 12/Q1232, 1316, 1318, 1321; 13/Q1419, 1420, 1480.

#### **Generally**

5/Q482, 492, 504; 11/Q1230, 1231.

**Aldermanic system** (*see* under **Members of local authorities**)

### **Ambulance service**

2/Q129, 133–158; 3/Q304–306; 13/Q1505, 1506.

### **Association of Education Committees**

11/Q1170–1231; **Appendix**, pages 46–48.

### **Association of Municipal Corporations**

12/Q1232–1382; **Appendix**, pages 49–58.

### **Boundaries**

4/Q427–429; 7/Q824–829; 8/Q848–850; 12/Q1238, 1239; 13/Q1499, 1501, 1504; **Appendix**, pages 38–45.

### **Central Government**

**Grants** (*see* under **Finance**)

#### **Relations with local government**

1/Q6, 7, 18, 19, 29, 30, 40–48, 63–65; 2/Q170–172; 3/Q227, 229, 230, 238–240, 259; 4/Q323, 383–385, 391, 394–411, 417, 418; 5/Q460, 505, 507, 509; 6/Q664–667; 7/Q712, 719–722, 728, 729, 737–747, 750–757, 759; 9/Q1014–1018, 1029–1032, 1048, 1049; 10/Q1090, 1091, 1134–1136, 1138; 11/Q1204–1206, 1220; 12/Q1250, 1251, 1254, 1257, 1258, 1262, 1266, 1273; 13/Q1438, 1440, 1449–1451.

### **Children's service**

#### **Allocation**

3/Q201, 202, 213–216, 228, 244, 245–249; 8/Q868, 870–875, 877–880; 10/Q1071, 1083; **Appendix**, pages 10–11.

#### **Co-ordination with other services**

3/Q213–216, 222–228; 8/Q868, 870–872; 11/Q1209, 1210, 1221.

#### **Efficiency of children authorities**

3/Q201, 243, 244.

#### **Generally**

3/Q206, 208, 211, 218–231, 238–243, 245–248, 250–255, 259, 262, 303, 313; **Appendix**, pages 10–11.

#### **Greater London organisation**

3/Q203–205, 208, 238, 243, 246, 250–253.

#### **Joint arrangements**

3/Q239, 260, 261.

#### **Officers**

3/Q209, 221, 242, 256–258.

#### **Role of elected members**

3/Q208–212, 235–237, 241, 242, 311.

#### **Size of children authorities**

3/Q201–205, 207, 211–219, 232–237, 243, 244, 247–249, 254–257, 262; **Appendix**, pages 10–11.

**City regions** (*see* under **Structure**)

**Civil defence**

3/Q194, 195, 313.

**Community councils** (*see under Structure*)

**Community of interest**

5/Q470-475, 479-481; 6/Q603-605, 636; 7/Q724, 725, 734-736, 823; 8/Q830-847, 856-867, 921, 977; 9/Q985, 998-1005, 1019; 10/Q1053, 1100, 1109, 1148-1150; 12/Q1232, 1296, 1312, 1328-1334, 1336, 1340-1342, 1348, 1349.

**Community trusts** (*see under Structure*)

**Conurbation transport authorities** (*see under Transport*)

**Co-ordination of functions** (*see under Functions or the services concerned*)

**Co-ordination of investment** (*see under Finance*)

**County Councils Association**

13/Q1383-1512; **Appendix**, pages 59-61.

**Decentralisation of administration** (*see under Administration*)

**Delegation of powers** (*see under Functions or the services concerned*)

**Department of Economic Affairs**

1/Q1-85.

**Department of Education and Science**

5/Q431-588; **Appendix**, pages 19-33.

**Distribution (or allocation) of functions** (*see under Functions or the services concerned*)

**Economic planning regions** (included under **Regional organisation**)

**Education**

**Ad hoc authorities**

5/Q437-439; 11/Q1225.

**Allocation**

5/Q440, 483, 484, 516-522, 536-540, 549, 550, 556, 562-568, 584-586; 7/Q706, 707; 8/Q868-870, 873-877, 909, 910; 9/Q1008-1013; 10/Q1070, 1071, 1074, 1082, 1126, 1159, 1160, 1162-1164; 11/Q1180-1188, 1190, 1194, 1195, 1203, 1204, 1206, 1208-1210, 1212, 1214-1217, 1220, 1226, 1229; 12/Q1236, 1248-1252, 1277, 1297-1307; 13/Q1417-1419, 1421, 1422, 1424, 1435, 1480.

**Colleges of education**

5/Q547, 553, 554; 11/Q1181, 1193, 1220; **Appendix**, pages 24, 29, 30.

**Co-ordination with other services**

5/Q440, 441, 456, 516-520, 524-528, 573; 8/Q868-870, 872; 10/Q1070, 1071; 11/Q1209, 1210, 1221, 1225-1227; 12/Q1367.

**Delegation**

5/Q493-504, 506; 11/Q1185, 1186, 1190, 1208, 1222-1224; 13/Q1418; **Appendix**, pages 19-33, 46-48.

**Divisional executives**

5/Q484, 500-504; 11/Q1207, 1208, 1215, 1216; 13/Q1414, 1418, 1480; **Appendix**, pages 19, 22, 23.

**Efficiency of local education authorities**

5/Q433, 444, 445, 452, 453, 455-458, 462; 11/Q1193, 1208, 1214, 1229; 12/Q1293-1295; **Appendix**, pages 49-58.

**Employment of specialists**

5/Q443, 453, 486-491, 535; 11/Q1171-1175, 1193, 1206, 1214, 1230, 1231; 12/Q1236, 1293.

**Further education**

5/Q454, 470, 471, 536-552, 555-568; 11/Q1181, 1193, 1214, 1220; **Appendix**, pages 23, 24, 28, 29.

## **Education—continued**

### **Generally**

5/Q431, 437, 441, 457, 460, 479–481, 504, 509, 534, 578, 587; 9/Q1010–1013.

### **Greater London organisation**

5/Q484, 506; 11/Q1182; 12/Q1366.

### **Joint arrangements**

5/Q542, 566, 567, 587; 11/Q1175, 1176, 1189; 12/Q1304–1306.

### **Need for local education authorities**

5/Q437, 438, 509; 11/Q1225–1228.

### **Officers**

5/Q464–468, 476–478, 532, 533; 11/Q1199, 1206; **Appendix**, pages 57, 58.

### **Polytechnics**

5/Q540, 541, 544–552, 555, 566–568; 11/Q1181, 1193, 1220; **Appendix**, pages 23, 24.

### **Primary and secondary education**

5/Q509, 510; 7/Q826, 827; **Appendix**, pages 19–23, 25–28, 32, 33, 46–48.

### **Role of co-opted members**

11/Q1222, 1223.

### **Role of elected members**

5/Q431–437, 457–460, 508–510; 8/Q909, 910; 11/Q1193, 1206, 1208, 1213; 13/Q1419, 1420.

### **School health service**

5/Q521, 522; 8/Q868–871; 11/Q1209.

### **School managers and governors**

5/Q493–504, 506; 11/Q1193–1208, 1212; 12/Q1322–1325; **Appendix**, pages 19–33, 46–48.

### **Size of education authorities**

5/Q434, 435, 442–459, 462–478, 482–493, 504–507, 514–516, 519, 520, 529–535, 537, 538, 565, 582–587; 7/Q733; 9/Q1007, 1008; 10/Q1069; 11/Q1170–1185, 1187–1193, 1200, 1208, 1211–1220, 1230, 1231; 12/Q1278, 1293–1299, 1323, 1324; 13/Q1476; **Appendix**, pages 49–58.

## **Efficiency of local authorities**

### **Generally**

1/Q22, 79; 3/Q254; 7/Q673, 674, 758, 774–776; 8/Q830, 832, 922, 943, 951, 954–961, 973; 10/Q1143–1146; 12/Q1289, 1296; 13/Q1383, 1447, 1475, 1478, 1496.

Services (*see* under the services concerned)

## **Elected members (*see* under **Members of local authorities**)**

### **Elections**

8/Q915–917, 920; 10/Q1056–1059, 1061–1064, 1077, 1078, 1080, 1113, 1126–1133; 12/Q1232, 1272, 1275, 1375–1381.

### **Finance**

#### **Central government grants**

4/Q391–393, 398, 400, 417; 7/Q806, 807; 10/Q1134–1136.

#### **Co-ordination of investment**

1/Q13–17, 20, 30, 38, 52–54, 69; 4/Q348–352, 381–384, 388, 417, 418; 7/Q738, 739, 746, 748–751, 798; 9/Q1023, 1031, 1032; 12/Q1256–1262, 1266, 1268, 1272; 13/Q1438–1440.

#### **Financial resources**

1/Q14, 63; 4/Q400, 401, 422, 423; 7/Q806–808; 8/Q971, 972; 10/Q1156, 1157, 1166–1169; 12/Q1256, 1312, 1337, 1338, 1343, 1346; 13/Q1438, 1439, 1509–1511; **Appendix**, pages 15–18.

#### **Revenue expenditure**

7/Q752–756.

### **Fire service**

3/Q194, 196–200, 305, 306, 313.

## Functions

### Co-ordination, generally

1/Q20, 38, 70; 3/Q201, 227, 228, 231, 303-306; 7/Q802, 803; 13/Q1384, 1385, 1392, 1411, 1435.

### Delegation, generally

8/Q967; 10/Q1123-1125; 11/Q1223, 1224; 13/Q1436.

### Distribution, generally

1/Q1-3, 12-17, 71-79; 2/Q114; 3/Q213, 214, 228, 260, 261, 270, 271, 304-306; 5/Q523, 529; 6/Q595, 620-624, 638, 651, 652; 7/Q679-683, 685, 686, 690, 691, 696, 697, 699-705, 708, 759-761, 766-773; 8/Q830, 867, 882, 905, 927-941, 951, 953, 968-970, 973-976, 978; 9/Q1001-1005, 1014-1017, 1021-1023; 10/Q1053, 1067, 1079-1082, 1086, 1107, 1109, 1115, 1116, 1118, 1134-1139, 1145, 1146, 1152-1154, 1160; 12/Q1232, 1237, 1242, 1243, 1264-1273, 1277, 1313, 1339, 1343-1345, 1361, 1362, 1368; 13/Q1383, 1414, 1416, 1423, 1430, 1431, 1435, 1448, 1464-1470, 1481, 1497, 1498, 1512.

(For allocation, co-ordination and delegation of particular services, *see* under the services concerned)

## General practitioners (*see* under Health and welfare services)]

## Greater London organisation

### Generally

4/Q326, 409-412; 7/Q762-765; 12/Q1364-1366; 13/Q1489.

Services (*see* under the services concerned)

## Health and welfare services

### Allocation

2/Q114-128, 158-165, 179, 180; 8/Q868, 872-875, 880, 973, 983; 10/Q1071, 1083, 1161; 13/Q1479.

### Co-ordination with other services

2/Q114, 124-130, 189-192; 8/Q868, 872; 11/Q1209, 1210.

### Delegation

2/Q168, 169, 175.

### Efficiency of health and welfare authorities

2/Q129, 130, 170.

### Generally

2/Q89-91, 98, 99, 171, 172, 184-188; 9/Q1022.

### General practitioners

2/Q90-92, 94, 95.

### Greater London organisation

2/Q179-183.

### Health centres

2/Q94-97.

### Hospital service

1/Q69, 73, 74; 2/Q92, 93, 129-132, 166.

### Need for health and welfare authorities

2/Q86-88, 129-132, 160-165, 186-188; 13/Q1482.

### Officers

2/Q106-109, 175-178; **Appendix**, pages 5-7.

### Size of health and welfare authorities

2/Q100-123, 127-130, 158-164, 167, 173, 174; 8/Q973, 982, 983; **Appendix**, pages 7-9.

## Highways (*see* under Transport)

## Home Office

3/Q193-313; **Appendix**, pages 10-14.

## Hospital service (*see* under Health and welfare services)

## **Housing**

### **Allocation**

7/Q708, 768, 769, 777–791, 794–796; 8/Q883–889, 891–893; 10/Q1087–1091, 1093, 1094, 1160; 12/Q1368–1371; 13/Q1425–1428, 1432, 1433, 1435, 1438, 1441–1446, 1468, 1506, 1507.

### **Co-ordination with other services**

7/Q777, 787–790; 8/Q887, 888; 13/Q1432, 1433, 1435, 1443–1446, 1506.

### **Efficiency of housing authorities**

7/Q777–781, 790–793, 797, 798; 8/Q889, 890; 10/Q1087, 1092, 1140–1142.

### **Generally**

7/Q748–750; 8/Q889, 890, 894–896; 12/Q1232, 1374.

### **Greater London organisation**

7/Q794; 13/Q1443, 1506, 1507.

### **Size of housing authorities**

7/Q750, 777, 780, 781, 790–793, 797, 798; 10/Q1087, 1088, 1091, 1092, 1127, 1140–1142, 1144; 13/Q1437, 1468.

## **Internal organisation of local authorities**

4/Q420, 421; 7/Q684; 8/Q955; 9/Q1034.

## **Joint arrangements (see under the services concerned)**

## **Libraries**

5/Q569, 571–573.

## **Local democracy**

1/Q22, 66, 67, 80; 4/Q315; 5/Q470, 493, 504, 586; 6/Q642–644, 661; 7/Q673–678, 708, 714, 750, 774–776; 8/Q830, 831, 863, 915–923, 927, 932–941, 943; 9/Q984–1005; 10/Q1053–1059, 1061–1064, 1077, 1078, 1080, 1102, 1109, 1113, 1126–1133; 11/Q1177, 1193, 1208, 1213–1215; 12/Q1232, 1289, 1312, 1322, 1378–1381; 13/Q1383, 1447, 1461, 1472, 1475, 1478, 1494; **Appendix**, pages 34–37.

## **Local government**

### **Need for local government**

1/Q60, 61; 3/Q268, 269; 4/Q315–317; 11/Q1193, 1228.

### **Relations with central government (see under **Central government**)**

## **Local government reorganisation**

### **Need for reorganisation**

1/Q21–24; 8/Q830; 11/Q1174, 1175; 13/Q1383, 1499, 1500, 1504.

### **Transitional problems**

**Appendix**, pages 38–45.

## **Members of local authorities**

### **Aldermanic system**

9/Q1034; 12/Q1232.

### **Quality of elected members**

5/Q461; 6/Q650; 7/Q680, 697; 8/Q915.

### **Role of elected members, generally**

5/Q431, 460, 461, 508–513; 6/Q645, 653–655; 7/Q679–684, 689, 690, 693–697, 706, 707; 8/Q881, 897–900, 902–908, 911–914; 9/Q992–996, 1024–1028, 1034, 1035, 1038, 1039; 10/Q1147, 1158–1161; 12/Q1232, 1268–1271, 1375–1377; 13/Q1383, 1472–1474, 1478, 1479, 1481–1485, 1508.

(For the role of elected members in relation to particular services, *see* under the services concerned)

## **Ministry of Health**

2/Q86–192; **Appendix**, pages 7–9.

## **Ministry of Housing and Local Government**

7/Q673–829; **Appendix**, pages 38–45.

## **Ministry of Transport**

4/Q314–430; **Appendix**, pages 15–18.

**Museums and art galleries**

5/Q574-583.

**National and Local Government Officers Association**

9/Q984-1052.

**National Association of Parish Councils**

6/Q589-672; **Appendix**, pages 34-37.

**Nationalised industries**

1/Q13-15, 38, 69; 9/Q991, 992, 1022.

**Need for local government (*see* under **Local government**)**

**Officers**

Employment of specialist officers, generally

4/Q422, 423; 8/Q908, 943-947, 952-954, 957-967, 969; 10/Q1067, 1097, 1144; **Appendix**, pages 15-18.

Recruitment of officers, generally

8/Q950, 951, 953; 9/Q1040-1044, 1050-1052.

Role of officers, generally

8/Q901, 907; 9/Q1034-1049; 10/Q1169; 13/Q1479-1481.

(For employment, recruitment and the role of officers in relation to particular services, *see* under the services concerned)

**Parish councils and parish meetings (*see* under **Structure**)**

**Planning**

**Strategic**

1/Q2, 10, 12, 33, 38, 39, 44-54; 4/Q383, 384, 388, 389; 7/Q712-714, 719-722, 725-731, 800, 821; 9/Q1015-1017, 1023, 1029-1032; 10/Q1095, 1119, 1154-1156; 11/Q1245, 1257, 1258, 1264, 1265, 1267, 1272, 1273; 13/Q1450-1454, 1498.

**Structural**

**Allocation**

4/Q334, 348, 424; 7/Q683, 685-687, 692, 708-710, 777, 799, 800; 8/Q981; 10/Q1095-1097, 1119-1121; 12/Q1245, 1253-1255, 1369, 1371-1373; 13/Q1431-1433, 1438-1442, 1444-1446, 1454, 1493-1495, 1498, 1506.

Co-ordination with other services

4/Q348, 371, 372, 424, 426; 7/Q777, 790, 799; 13/Q1432, 1433.

Generally

1/Q38, 40-43; 7/Q715-723, 800-802, 805, 809-812, 821-823.

Size of authorities

7/Q733, 777, 800, 801, 813-820; 12/Q1232.

**Police service**

Ad hoc police authorities

3/Q266, 287-291, 293.

Allocation

3/Q270, 271, 297, 304-306; 12/Q1308.

Amalgamation of police authorities

3/Q263, 264, 272-277, 299-302; 4/Q424; 13/Q1488; **Appendix**, pages 12-14.

Co-ordination with other services

3/Q270, 271.

Generally

3/Q268, 269, 291, 296, 299, 301, 303-313; **Appendix**, pages 12-14.

Role of elected members

3/Q307-312.

Size of police authorities

3/Q267, 273-286, 292-303; 12/Q1308; **Appendix**, pages 12-14.

**Public transport (*see* under **Transport**)**

**Rating system (*see* under **Finance**)**

**Recruitment of officers** (*see under Officers*)

**Regional organisation**

Need for regional organisation

1/Q1, 3-8, 10, 18-20, 33, 44-54, 68-73, 82-84; 4/Q385, 386; 5/Q530-535; 7/Q714, 729, 800-802, 816; 9/Q1014-1017, 1021, 1022, 1029-1031; 10/Q1053, 1147-1150; 11/Q1181, 1216, 1217, 1220; 12/Q1232, 1263, 1274; 13/Q1448-1452, 1486, 1497.

Type of regional organisation

1/Q4-7, 9, 11, 27-32, 34-39, 53, 59, 66, 68-70; 4/Q380, 383-385, 387, 388; 7/Q803, 804; 9/Q1007, 1014-1031, 1034; 11/Q1216; 12/Q1233-1237, 1263, 1264, 1267-1276, 1375-1381; 13/Q1447, 1451-1456, 1486-1488.

**Reorganisation of local government** (*see under Local government reorganisation*)

**Rural District Councils Association**

8/Q830-983.

**Seaports** (*see under Transport*)

**Size of local authorities**

Generally (*see under Structure*)

(For size of local authorities in relation to particular services, *see under the services concerned*)

**Sport and recreation**

5/Q569, 570.

**Strategic planning** (*see under Planning*)

**Structural planning** (*see under Planning*)

**Structure**

City-regions

7/Q678, 698, 708-716, 723-725, 727-732, 734, 739, 758, 762-765, 770, 778, 779, 799, 800, 802, 809-814, 816-823; 8/Q851, 852, 857; 12/Q1232, 1280-1284, 1287, 1374; 13/Q1389.

Community councils

6/Q660; 13/Q1470, 1471, 1497; **Appendix**, pages 59-61.

Community trusts

12/Q1232, 1298, 1323, 1325-1334, 1336-1350, 1361, 1362.

Generally

1/Q16, 56, 62, 81; 2/Q98, 99, 104, 105, 158, 187, 188; 3/Q199, 230, 263-266; 4/Q324, 326, 332-334, 342, 358, 364-368, 371, 374, 375, 381, 386, 389, 399, 409, 427-429; 6/Q590, 612, 613, 638; 7/Q724, 725, 731, 732, 757; 13/Q1383, 1389, 1390, 1463.

Parish councils

Amalgamation

6/Q606-608, 612, 625, 634-636, 639-641, 652; **Appendix**, page 61.

Finance

6/Q606, 663-667, 669; 8/Q930; 12/Q1337, 1343, 1344, 1346; **Appendix**, page 60.

Functions

6/Q591-593, 595, 618, 620-624, 630-633, 651-653, 668-671; 8/Q927-929, 932, 933; 9/Q1002, 1006; 12/Q1339, 1344, 1345; 13/Q1461, 1470; **Appendix**, page 60.

Generally

6/Q589, 596-602, 606, 612, 613, 616-619, 628-631, 639-641, 646-650, 656, 661, 662, 668-672; **Appendix**, pages 34-37, 59-61.

Need for parish councils

6/Q590, 591, 603, 630, 637, 657-659; 8/Q863, 922-924, 926, 938; 9/Q984, 985, 990, 1002, 1006; 10/Q1098-1101, 1109; 12/Q1335, 1336; 13/Q1460, 1461, 1469, 1471, 1497; **Appendix**, pages 59-61.

Size of parish councils

6/Q604-611, 625-628, 631, 634-636; 8/Q925; 13/Q1462.

## Structure—continued

### Parish meetings

6/Q649; **Appendix**, pages 34–37.

### Single-tier structures

2/Q158; 5/Q434, 523, 584–586; 6/Q620, 621, 630, 637, 652, 656; 7/Q676, 677, 686, 700, 770, 771, 774; 8/Q855; 9/Q1033; 12/Q1290, 1291, 1363; 13/Q1384–1397.

### Size of first-tier authorities

1/Q21–26, 44, 54, 55, 57, 58, 67, 82–84; 2/Q122, 123; 3/Q244, 273–286, 292, 293, 298; 4/Q358–363, 374–376, 394, 409, 410, 430; 7/Q674, 675, 683, 686, 712–714, 730, 733–747, 750–758; 8/Q855, 862, 938, 942; 9/Q1004, 1007, 1018–1021; 10/Q1060, 1061, 1065, 1085, 1106, 1126, 1151, 1152; 12/Q1232, 1233, 1238–1240, 1244, 1286, 1290, 1312; 13/Q1401, 1403, 1405–1407, 1445, 1453, 1473, 1477, 1478, 1481, 1488–1491, 1496, 1497, 1502, 1503.

### Size of local authorities, generally

3/Q232, 253–255; 4/Q346, 392, 393, 422, 423; 5/Q436, 461, 492, 493, 507, 511, 513, 569–572, 574, 575–577, 580, 582–584; 6/Q590, 622, 623, 638; 7/Q686, 771; 8/Q830, 831, 899, 900, 911–915, 919, 920, 922, 943, 944, 954–961, 973, 982; 9/Q984, 993, 994, 1005; 10/Q1118, 1127, 1128, 1143; 12/Q1232, 1289, 1296; 13/Q1383, 1386, 1389, 1397–1399, 1412, 1427, 1473–1475, 1478, 1479, 1481, 1484–1488, 1499, 1502; **Appendix**, pages 15–18.

### Size of second-tier authorities

2/Q117, 123; 3/Q214, 216, 244, 248; 4/Q353; 7/Q683, 684, 688, 699, 761, 772, 773, 787; 8/Q830, 848, 858–864, 867, 917, 948–950, 953, 973–978; 9/Q993, 998–1002, 1006, 1007; 10/Q1065–1069, 1072, 1075, 1102–1116, 1144–1146; 11/Q1180–1183, 1209; 12/Q1232, 1278–1286, 1288–1290, 1296–1299, 1303, 1309–1321, 1327; 13/Q1408–1410, 1412–1415, 1417, 1418, 1422, 1423, 1429, 1445, 1462, 1464–1470, 1477, 1489.

### Two (or three) tier structures

1/Q24; 2/Q114–123; 3/Q214, 216, 244, 245; 4/Q315, 318, 320, 323, 412; 5/Q440, 529; 6/Q591, 594, 595, 620, 655; 7/Q675–708, 714, 762–770, 772–776, 824, 828; 8/Q830, 835–855, 862, 922, 923–926, 938–941, 968–970, 980; 9/Q984–1001, 1007; 10/Q1053, 1055, 1056, 1059–1068, 1073–1086, 1098–1102, 1106, 1107, 1109–1114, 1117, 1121, 1122; 11/Q1180–1185, 1187, 1188, 1190, 1209; 12/Q1232, 1239–1243, 1287, 1288, 1290, 1292, 1298, 1312, 1317–1321, 1349, 1350, 1361, 1362, 1364; 13/Q1383, 1384, 1386, 1387, 1392–1397, 1400–1415, 1429, 1430, 1435, 1436, 1441, 1444, 1445, 1453, 1461, 1489–1491, 1493–1495, 1497–1504.

## Town and country

### Relations between town and country

6/Q612–615; 8/Q832–847, 854, 856, 857, 860, 861; 10/Q1102, 1109; 13/Q1389–1393, 1397, 1399, 1402, 1404, 1405, 1407, 1434, 1499, 1503.

## Traffic management (see under Transport)

## Transport

### Allocation

4/Q315, 318–323, 344, 353–356, 369, 370, 376, 378–382, 389, 390, 412–415; 12/Q1245–1247; 13/Q1455, 1456.

### Conurbation transport authorities

4/Q329–347, 353, 383, 384, 388, 417, 418; 13/Q1457–1459, 1492.

### Co-ordination with other services

4/Q332–334, 359–363, 371–373, 424–426; **Appendix**, pages 15–18.

### Generally

4/Q314, 315, 391, 417–420; 12/Q1232, 1260; **Appendix**, pages 15–18.

### Greater London organisation

4/Q326–329, 336, 343, 409–416.

### Highways

4/Q330, 348, 349, 368, 375, 392, 395, 398, 403–408.

### Public transport

4/Q330, 345, 348–357.

### Role of elected members

4/Q317, 321, 322.



**Transport—continued**

**Seaports**

4/Q369–373, 377–384, 388–390.

**Size of transport authorities**

4/Q324–331, 346, 347, 353, 357–363, 374–376, 394, 430; 7/Q733; 12/Q1247; 13/Q1457, 1459; **Appendix**, pages 15–18.

**Traffic management**

4/Q319, 345, 397, 413–415, 424.

**Ultra vires doctrine**

6/Q663, 664; 8/Q929; 12/Q1351–1360.

**Urban District Councils Association**

10/Q1053–1169.

**Welfare services** (*see under Health and welfare services*)

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